Hugh Cecil Earl of Lonsdale.

303 Horse-Racing: Its History and Early Records of the Principal and other Race Meetings; with Anecdotes, etc. London. 1863.

8vo. 446 pp. 22 plates, viz.:—Mason on Gaylad, Satirist, Blue Bonnet, Pyrrhus the First, The Princess, Launcelot, Poison, Our Nell, Sir Tatton Sykes, Nutwith, Saucebox, The Flying Dutchman, The Baron, Von Tromp, Cossack, Attila, Coronation, Cymba, Ghuznee, Miami, The Switcher.

M., $8\frac{1}{2}$ in. by $5\frac{1}{4}$ in.

Lapierre

HORSE-RACING:

ITS HISTORY

AND

Early Records of the Principal and other Race Meetings.

WITH ANECDOTES, ETC.

LONDON:
SAUNDERS, OTLEY, AND CO.,
66, BROOK STREET, HANOVER SQUARE, W.
1863.

London: F. Shoberl, Printer, 37, Dean Street, Soho.

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PREFACE.

If an apology was required for a work of this kind, one could easily be found in the circumstance, that, whatever may be said against the pastime of Horse-Racing by a few who view with repugnance and a pious horror almost any species of amusement, the many, including the highest in the land, and those deservedly entitled to our esteem and regard, have both encouraged the sport and patronised it.

But the Author feels that no apology in this sense need be made: the only one really required is to crave the indulgence of the reader for any deficiency in the work itself. Many writers could have handled the subject in a far more masterly manner; but on the same principle that half a loaf is better than no bread to the hungry man, so perhaps this book may be acceptable in spite of any shortcomings.

In the work as written, an endeavour has been made to render it of some little value by introducing the several Acts of Parliament relating to Horse-racing which have been passed from time to time. Another

feature in this respect has been a careful attention to Authorities and Dates, so that the book should serve as an index for further reference, whilst at the same time conveying information. The statistics given may also help to recommend the work; and the early records of the principal race meetings may prove interesting as well as give an additional zest to those on their respective sporting journeys. The interest of the present moment may be heightened by a knowledge of similar occurrences of a past age: in travelling towards Chester, the mind can speculate upon the inauguration of St. George's Race on the ancient Roodee, and the show provided for the occasion by Mr. Amery. Those journeying to York, can think over the time when Roulette and Hazard formed so prominent a part of the sport during race time in this sporting county. Those again *en route* to Newmarket, may feel a pleasure in reverting to past times when Charles II. and his Court held high revels there. And the million wending their way towards Epsom, can reflect upon the possible appearance of the place when its chief renown was derived from its waters and not its races; and also make an effort to guess which of the villas passed on the road was the one occupied by "Eudoxa."

London, February 18, 1863.

INTRODUCTION.

For very many years a peculiar and striking feature in the character and habits of the English nation, has been their fondness for and attachment to the pastime of Horse-Racing. This now universal amusement did not spring up of a sudden to share the fate of many other habits and customs, and be almost as quickly flung aside, but it has been the steady growth of centuries, gradually rooting itself in our character till firmly and permanently established. Even political revolutions, which have overthrown dynasties, replaced many old customs by new, and swept away others altogether, have failed to eradicate the pastime, or even lessen the inclination of the people to indulge in it. In early times, the Turf, like many other institutions, had to contend and struggle with the political troubles of the period for existence. Its firm basis was established in the course of a period when the most serious obstacles to its progress were met with in the shape of civil wars, and the unsettled and changeable nature of the times; notwithstanding which, its solidity was established in what may be termed the short space of eighty-two years, when we consider that no less than three different Kings and a Protector governed England in that time. We allude

to that period included in and between the reigns of James I. and Charles II.

There is no question that the majority of the English people are very partial to the pastime, and there are several reasons which account for it. In this country the Horse is looked upon and treated as a really noble animal, quite distinct from its general utility which recommends it still further to our notice and admiration. In no other country but our own, except Arabia, do we find the quadruped and biped upon such a familiar and friendly footing; or the animal cultivated and brought to the same height of perfection; and horsemen, again, so skilful in the management of it. From this intimacy, perfection, and excellence, springs a more than ordinary interest in the capabilities and exploits of the horse, and hence the zest with which Englishmen view a race. This partly accounts for the popularity of the pastime, to which may be added its great feature of not being a class enjoyment, but open to all as an amusement; and this popularity it will retain as long as its pleasures are not restricted, but all grades, from the peer to the peasant, are permitted to share in what has become the popular, and most generally indulged in, amusement of the people.

But there is another reason, in addition to the foregoing, which has assisted in making horse-racing so popular as it has become. No inconsiderable share of the pleasure derived from the indulgence of the pastime springs from a feeling which forms a feature peculiar to the sport in England. On the continent, the pastime is somewhat curbed in its operation and practice by

executive and military supervision, and has the appearance of being a Government spectacle got up by the authorities for the amusement of the people, and with which the latter have no more to do, or feel interested in, than the mere witnessing of it. This supervision ensures order, and perhaps is necessary, for political revolutions abroad have sprung out of even less important and innocent causes than a simple horse-race. The principal interest therefore of the Continentals is centred in the exhibition *while it lasts*, and they assemble to see it, and disperse when it is over, at the tap of a drum, as we may say. Now in England the very reverse of this is the case. There is no government supervision in the matter, but the people themselves originate the amusement, fix time and place, issue the regulations, and have sole control and rule over the entire proceedings. Even the few policemen who are to be seen on a race-course, are placed there and paid by the racing officials, more for the purpose of keeping the course clear when the horses are running, than from fear of any serious breach of the peace. The law in general is seldom outraged; and in the main, good order is preserved by the people themselves: the thousands congregated forming, as it were, in their own persons, a sort of self-constituted constabulary force for the time being over their own minds and actions. An Englishman would almost as soon think of the Prime Minister of the country turning mountebank, as that a race-meeting would be made the nucleus for political or revolutionary purposes; and if the attempt were made, it would foil itself by the

simple distaste and repugnance of those assembled at having their own legitimate amusement encroached upon and perverted to an illegitimate end.

Thus it will be seen that a great difference exists in the nature and ideas both as regards the sport itself and the enjoyment of it, in the two masses collected to witness a horse-race on the Continent and in this country, although the cause originating the assemblages is the same. There is a great charm in not only thinking as we like, but in doing what we think proper; and it is this permissible exercise of individual inclination and freedom of thought and action as exhibited in the throngs congregated on an English race-course, a freedom all the more apparent, and contributing to a greater degree of pride in the circumstance from the immensity of numbers enjoying the privilege, that gives such a hearty relish to the enjoyment of the pastime. In England, the people unquestionably enjoy liberty and freedom in the widest sense known compatible with a degree of restraint which must follow where there is any government, and this liberty and freedom has never yet been abused so far as a race-course having been taken advantage of for any unconstitutional purpose. In this country law and order are not impressed upon the people, when they happen to assemble together in such considerable numbers as a race-meeting will bring together, by the display of an armed force, but the preserving of it is left to their own good sense; and the confidence so reposed exalts the individual, makes him feel proud of the trust accorded his better nature, and determines him to prove by his own good conduct that he is worthy

of it. This may seem wide of the subject of which we are treating, but these considerations do form part of that amount of pride which an Englishman feels on the race-course when he views the immense numbers congregated together, and reflects upon what attracted them to the spot.

The horse being so universally admired, and so generally made use of in this country, it follows that everything relative to its capabilities and excellence would be regarded with interest. The noble animal figures prominently both in sacred and profane history, as having at different times and places rendered good services to mankind in various ways. There are instances on record where men have not only escaped from attempted outrages on their person, but have also owed their lives to the docility, speed, or enduring powers of fatigue exerted by the horse; and in some cases, we find the animal instrumental in raising the more noble animal, man, to a position of power and dignity. A case in point occurred about the year 1500, when it is related* that King Henry VII. having occasion to send to the Emperor Maximilian upon a matter which required great haste, and conceiving that no messenger would so quickly execute it as his chaplain, Mr. Thomas Wolsey, he was forthwith entrusted with the errand, and desired to use every expedition in the execution of it. Wolsey took leave of the King at Richmond about noon on a certain day, and the next morning got to Dover, the following noon he reached Calais, and by night was with the Emperor. He received his answer,

* "Rural Sports," by the Rev. W. B. Daniel, vol. i., p. 492.

and rode that same night back to Calais, arriving the succeeding night at Richmond, and the next morning saw the King, who, not thinking the errand had been performed, blamed him for delaying his journey. Wolsey showed that he had despatched the business by producing the Emperor's letter; and Henry was so much astonished and pleased at the speed he had used, that he quickly bestowed upon him the Deanery of Lincoln, and soon after made him his almoner. And this circumstance, says our authority, was the *cause* of the first rise of that afterwards great Prelate, Cardinal Wolsey.

The services of the horse being capable of application in so many ways and to so many purposes, the peculiar properties of the animal, viz., its strength and great speed, were soon noted; and very early, the latter quality was specially noticed, and means sought by which it could be developed, improved, and perfected, and this leads us directly to the subject of this work, viz., horse-racing: at first the merits of the animals were tested by occasional trials of speed one against another, which, by degrees, ultimately merged into regular and periodical racing contests as witnessed in the present day. As we have seen, the diversion of horse-racing was one peculiarly suited to English tastes and dispositions; and the pastime itself, once introduced, was finally encouraged as a means whereby the breed of horses in this country would be greatly improved. Whether the system of horse-racing as practised in the present day is the one most beneficial to the interests of the race-horse in particular, and the

breed generally, we are not going to argue at any length in the present pages, being satisfied for the time of protesting against the modern custom of training and bringing on the race-course two-year olds, an age when the animal is neither constitutionally nor physically capable of having its natural powers forced, or able to undergo that great exertion required in a racing contest. It is, however, certain, that horse-racing *was* the means of converting the old lumbering horse of this country into the elegant, graceful, and pre-eminently fleet animal of the past, if not of the present, century. Apart from the barren honour of victory, the valuable prizes contested for on the race-course offered an inducement for private enterprise and exertion in striving to raise the British horse to that point of excellence in which it should stand without a compeer, and beyond question the end was attained: the object was accomplished by the crossing of foreign with the native blood, the skill of the breeders, and the incentive and possible gain of a profit on the undertaking.

With the accomplishment of an object, the means whereby it had been attained is, in many instances, and, in some cases, at once dispensed with; and many persons who are opposed to the pastime of horse-racing, and look upon its indulgence with an evil eye, use this as an argument for its total abolishment. We must, however, consider whether the horse would *retain* its acquired perfection and excellence if a veto was put upon the pastime? We decidedly think not. The superiority now exhibited by the animal might last for a time, but, by degrees, its old sluggishness

would return; and that without the encouragement held out by keeping up its superiority of form and activity by means of contesting on the race-course, and the inducement offered to owners and breeders of maintaining that excellence by a possibility of their being recompensed for the trouble and expenses incurred in the shape of the various money prizes contended for, that the English horse would very soon degenerate, and lose the proud leading position it has long held amongst its species in the rest of the world. Let us hear what Mr. John Day, one of the most celebrated and experienced trainers of the present period, has to say with respect to the effects of horse-racing, in connexion with the improvement of the horse, in his evidence as given before a Committee of the House of Commons, in 1844, upon the subject of Gaming and Horse Racing:—

Question.—Do you consider that the breed of horses has been much improved in the last twenty or twenty-five years?

Answer.—Very much.

Question.—The question refers to the general class of horses used for ordinary purposes, for riding and draught, independently of racing?

Answer.—Yes.

Question.—Do you think that is owing, in any degree, to the increase in the number of race-horses?

Answer.—I do; from the breeding of horses. People get better prices for their horses from breeding so much as they have done.

Question.—The blood generally is improved?

Answer.—Yes; they try to improve it.

Question.—Do not farmers and that class of people send

their mares more to thorough-bred horses than they used to do?

Answer.—Yes.

Mr. Richard Tattersall also speaks to the same purpose:—

Question.—Do you think that horse-racing has been productive of any improvement in the general breed of horses?

Answer.—There can be no doubt about it. Even farmers like to get their horses as well bred as they can. The Norfolk trotting horses are quite of fashion.

So far, then, it may be considered that a permanent good results to the breed of horses in general as arising from the pastime, and it will also be seen that the value of the animal is greatly enhanced by the number of racing engagements for which a horse may be entered, and the amount of the prizes contended for. Mr. Tattersall, in his examination, thus speaks upon this point:—

Question.—Will you state what you consider creates the value of a thorough-bred horse in this country?

Answer.—The engagements he is entered for as a foal, and the more engaged the more valuable.

Question.—Are you often commissioned to give large prices for the best horses?

Answer.—When America was in force I used to have commissions unlimited.

Question.—Did not two American gentlemen once apply to you to ask the price of Sir Mark Wood's two celebrated mares, Camarine and Lucetta?

Answer.—Yes.

Question.—What was Sir Mark Wood's answer?

Answer.—I think it was that the whole of America could not buy them; and the answer of Lord Westminster was to the same purpose. I wrote to Lord Westminster, and said that a German friend of mine had applied for the price of one of his horses. He said, "Give my compliments to your German friend, and tell him a German Principality would not buy him."

Question.—If racing was discouraged, and the stakes reduced in this country, the breed of horses would decline?

Answer.—Of course: I breed largely; if I have twenty foals, and ten of these foals are in the Derby and other great stakes, they are worth three or four hundred guineas a-piece to me, but if they were not in those stakes, they would not be worth above a hundred and twenty pounds.

Thus, in spite of all that may be said against the countenance and support of horse-racing as a national pastime—and undoubtedly there are, to a certain extent, evils attendant upon the indulgence of it where speculation results in ruination—the good effected in maintaining by its means the excellence of the breed of horses in this country, and the healthy and harmless recreation it continually affords the great mass of the people, far outweighs its reprehensible concomitants. We shall elsewhere allude to the interest taken by the people in these social sporting gatherings, in which the national mind, as it were, comes to a knowledge of itself, and ordinary matters of contention are put aside and forgotten for the brief moment; but we may here point to some of the advantages resulting in the large amount of money so widely spread over the country and kept in circulation, the immense numbers added to the ordinary railway traffic of the kingdom, and the

thousands to whom the pastime gives employment in some shape or other; and even journalism is indebted to horse-racing in a degree. But few people, unacquainted with the subject, would imagine the number of persons employed in and about a large training stable; but hear Mr. J. Day, in his evidence before the House of Commons Committee, upon this question:—

Question.—Can you state the number of servants you employ about your establishment at Danebury?

Answer.—About thirty-five sit down to dinner every day.

Question.—Have there not been a great number of people employed at Danebury in connexion with the race-horses?

Answer.—I have known as many as one hundred people employed there by the racing people—day labourers.

With so many points in favour of horse-racing to set off against a few drawbacks arising from the abuse, and not the simple practice and indulgence of a pastime which in its essentials has so much to recommend it; the society it creates being spoken of as "the most delightful society in the world,"* although we must make a little allowance for the well-known enthusiasm of the speaker for the sport; and considering that "whenever racing is done away with, there is an end to the noble animal, and the manly sport, and to your humble servant,"† and to which we may add hundreds besides; it is not surprising that the conclusion arrived at by the Committee of the House of Commons on Gaming in 1844, as shown in their Report, was to the

* Evidence of the Hon. Captain Rous before Committee of House of Commons on Gaming.

† Evidence of Mr. R. Tattersall before Committee of House of Commons.

effect that they "would be sorry to appear to discou-rage horse-racing; that sport had long been a favourite one of all classes of the British nation both at home and abroad, and it has been systematically encouraged by the Government by means of numerous plates annually given by the Crown to be run for, with a view to the important object of keeping up, by the competition of private individuals, and without any other charge to the Government, an improved breed of horses throughout the country;" or that in the Report presented by the House of Lords, it should be stated that "the Committee think it desirable that this amusement should be upheld, because it is in accordance with a long-established national taste; because it serves to bring together, for a common object, vast bodies of people in different parts of the country, and to promote intercourse between different classes of society;" and also because it maintained that purity of blood and excellence which have rendered the English horse superior to any other.

HORSE-RACING:

ITS HISTORY, ETC.

PART I.

CHAPTER I.

Horse-Racing: historical difficulty in fixing date of the origin of this pastime.—The Horse: its early use and subserviency to man.—Horsemanship: earliest practice and transmission of the art.—Horse-Racing practiced by the ancient Greeks.

With regard to the early history of horse-racing in this country, it is a difficult matter to attempt to fix with any certainty the exact date of its origin, owing to the want of any historical evidence which might guide us in the matter, and consequently the error might bé made of naming either too early or too late a period. And from the same cause, again, an almost equal difficulty exists in stating with any accuracy at what subsequent period to its occasional practice, the pastime began to be periodically indulged in. This want of historical information is to be regretted; and we suppose the omission of any particulars respecting the sports of the people, or at least this particular one

of which we are treating, is to be accounted for in the fact that the subject was not of sufficient importance to claim a place in the chronicles of the very early historians, who, living in the stirring times they did, would naturally devote the principal part of their time and attention to the collecting and recounting political and martial events. In all that relates to these matters there is no lack of information, and being then of paramount interest and importance, it is not surprising that other subjects, which later on would have been found both interesting and instructive, were by comparison considered unimportant, and cast aside to leave full room for particulars of more weighty matter. Thus, with respect to the ancient Britons and Saxons, we are to a certain extent left in the dark as to positive evidence of many of their amusements and customs: "In regard to your question concerning the hunting of the ancient inhabitants of our island, Britons and Saxons, the genuine and authentic notices which have come down to us relative to the customs and manners of those two nations, are indeed but very few, so that much cannot reasonably be expected to have reached us on the subject proposed."* "And," says this writer, "what authors do treat of the subject deal so much in generals, that they afford us not many *particulars* respecting the modes of proceeding of our ancestors in those early times, in the great and important *business*, as I may call it, of the chase." When we find this to have been the case relative to hunting, which was so

* Paper furnished by the Rev. S. Pegge, and read before the Archeological Society, December 2, 1790.

generally indulged in by our ancestors, not only for sport, but in a great measure from necessity, there can be no surprise expressed at the silence of authorities on the subject of horse-racing.

We shall endeavour, however, to fill up this historical void, by availing ourselves of other sources where some information may be gained of the particulars wanted, such as chronicles of the early times, individual histories, and local records; but even with the help of these aids, early information relative to the pastime is so scanty, that a great deal must be left to inference and individual judgment upon the matter.

The Sacred Volume informs us that in the creation of the world the horse claims a prior existence to man, and from its pages we also learn, that in the very earliest times the latter possessed the power of control over the animal, and rendering it subservient to his will. We pass by the many and gradual uses to which the horse was put, for the purpose of at once coming to the act of its being ridden; and the art of horsemanship seems to have been first and very early practised by the ancient Egyptians, who transmitted and made the accomplishment known to the Æthiopans, Arabs, Persians, Parthians, Armenians, Scythians, etc. With regard to Greece, the horse was not originally a native of that country, but the quadruped, as also the art of riding it, was conveyed thither by the many colonists of Egyptians who from time to time emigrated to Greece; and the Greeks, in turn, transmitted the art to the Romans, who cultivated it with so much diligence and aptitude that it was not long before they excelled their

masters. Thus early, there is abundant evidence of the fact that what may be considered the essential principle and stimulant to the horse being raced, viz., the art of riding it, was pretty universally known and practised; and although it does not appear that the horse was made use of for other than warlike purposes, the chase, or public displays, in many countries until within a short period of the Christian era, and in some others, until a later period still, yet it is not at all unlikely, although there is no evidence of the fact, that it would not be very long after the essential quality of the animal, viz., its speed, must have been so widely known, before that quality would be tested in some shape or the other by trials of speed or racing one against another.

However, in the Grecian era of the world's existence, we are able to quit suppositions for facts as regards the existence of the pastime known as horse-racing, as beyond question it was an amusement practised early by the ancient Greeks. The hippodrome at Elis was their most celebrated race-course, and was divided into two parts, the *stadium*, used for foot races, etc., and the *hippodromus*, which, as its name implies, was used for equestrian trials. Respecting this latter branch of their pastimes, equestrian candidates "were required to enter their names, and send their horses to Elis, at least thirty days before the celebration of the Games commenced;" and the riders, we find, "went through a prescribed course of exercise during the intervening month."* The horse-races were introduced into the

* "Quarterly Review," vol. xlix., p. 381.

Grecian Games in the 33rd Olympiad, or 648 B. C.;* and one hundred and fifty-two years later, or in the 71st Olympiad—B. C. 496—a race called the Calpe, for mares only, was introduced into their sports. Thus, upwards of 2,500 years ago, we find that not only was horse-racing a common pastime with the people of an ancient kingdom, but that in the practice of it—as, for instance, the entering or sending their horses to Elis within a prescribed time, the preparatory exercise of the riders for the race, and the race for mares only, which we may term the Grecian "Oaks"—it assimilated very nearly to what the pastime is in England in A. D. 1862! The pastime was long a favourite one with the Greeks, and year after year races of various descriptions between horses were added to their Games: "Many other novelties were introduced one after the other," says Grote,† "and between colts of the same nature as between full grown horses." A little later on, we find how thoroughly the nature and management of the horse was understood at the period, from the fact of Xenophon writing, about 300 B. C., an elaborate treatise on the horse and horsemanship, in which are to be found directions for purchasing horses, method of breaking and training them, instructions as to stabling and feeding them, in what manner the teeth indicate the age of a horse, &c.; and many of the instructions to be found in this work are applicable even in the present day.

* Some authorities say in the 23rd Olympiad.
† "History of Greece," vol. iv., p. 78.

CHAPTER II.

Ancient Britain: their horses; horse-racing probably practiced by them in the time of the Romans.—Ancient Romans: practice of the pastime by them.—The Saxons: use made of the horse by them.—Smithfield: horse-races at.—Richard I.: evident common practice of the pastime in this reign.

In tracing the origin of horse-racing in our own country, we are historically informed that the ancient Britons had plenty of horses of a hardy and spirited but small breed; and that they were fond of the animal, and well skilled in breaking and riding it. It is also pretty certain that after the Romans had conquered Britain, the British horses were so highly esteemed by them, that great numbers were exported to the continental parts of the Roman Empire; and it is stated, as a fact almost beyond question, that "horse-racing was practised in England in the time of the Romans."* It is very probable that such was the case, but the statement, as it stands, is little more than an assertion without any proof of its being a correct one, and we will, therefore, investigate the matter a little in order if possible to establish, if not the fact itself, at least the truth of its probability.

* Nichol's "Progresses of James I.," vol. i., p. 496, in note at foot.

After the subjugation of Britain by the Romans, the latter found it necessary, in order to retain secure possession of the country they had won, to keep a strong body of their cavalry in service for the purpose of keeping in check the restless and warlike Britons, and to keep up the efficiency of this arm of their military force, many of the horses were sent over from Rome, and it is said, and there is no doubt of the fact, that by this means our own breed of horses received, thus early, a cross in blood. However, what we wish to indicate is, that before the subjugation of Britain was effected, the pastime of horse-racing was a common diversion in Rome, and amongst the Romans, who were even more enthusiastic in this sport than the Grecians. The Romans must have been exceedingly fond of the diversion, for their racing contests were not confined to the horse, but even asses were used as coursers, and ostriches also were made competitors! In their horse-races, the jockeys rode in different colours, as do ours of the present day, of which at first the principal, or favourite ones, were, red, green, white, and sky colour, and to those were subsequently added yellow and purple. Now bearing these facts in mind, it does seem highly probable, that even if horse-racing was unknown to the ancient Britons previous to the invasion of the Romans, that it would not be long after they had finally subjected this country before they introduced one of their own most frequent and cherished amusements, and that this pastime would be copied by the Britons, and gradually become engrafted amongst their sports, as in like manner many of their conquerors' habits and customs

were adopted, and finally became part and parcel of the habits and customs of the inhabitants of this island.

But however probable the circumstance may have been, we are not aware of its being historically mentioned as a fact that horse-racing was known to have been thus early practised in this country, and we must pass over a space of about two centuries after the departure of the Romans from Britain, before we even find any historical record of the horse being made use of in this country for *fashionable* as well as useful purposes, and then, in A. D. 631, the Venerable Bede mentions that the English began to saddle horses, and that about the same period people of rank first distinguished themselves by appearing on horseback. Some 300 years later on in history, we may reasonably enough infer that horse-racing was in vogue, and practised to some extent by the Saxons, from the fact of King Athelstan having received as a present from Hugh the Great—father of Hugh Capet, of France—several German running horses, which it may naturally be presumed was at the time considered to be the most worthy present that could be offered, as it was accompanied by a proposal for the hand of Athelstan's sister in marriage. It is also certain that at this period running and other horses were highly prized, for in the year 930, this Saxon sovereign ordered that no horses should be sent abroad for sale or other purpose, except as royal presents. This monarch's estimation of the horse was evidently widely known, for he received many horses as presents in addition to those

above mentioned, as in his will he bequeaths the horses given him by Thurbrand as also the white horses given him by Liefbrand. These presents were apparently made by Saxons, but Athelstan had also similar gifts from many parts of the Continent; for in Anderson's "Origin of Commerce," it is said that this king's fame was so wide spread, that sundry princes sought his alliance and friendship, and sent him "rich presents, precious stones, perfumes, and the finest horses, with golden furniture."

The earliest authentic evidence we have by written record of the fact of horse-racing actually taking place in this country, and when it appears to have been looked upon as a somewhat common diversion, is in the reign of Henry II., 1154 to 1189, during which period Smithfield was known as a horse market, and was also celebrated on account of the "hackneys and charging steeds" which used to be tried there by racing one against another. Fitz-Stephen, that quaint old chronicler who wrote in this reign, thus describes these equine contests:

"When a race is to be run by this sort of horses, and perhaps by others which, in their kind, are also strong and fleet, a shout is immediately raised and the common horses are ordered to withdraw out of the way. Three jockeys, or sometimes only two, as the match is made, prepare themselves for the contest..... The horses on their part are not without emulation; they tremble and are impatient, and are continually in motion. At last, the signal once given, they start, devour the course, and hurry along with unremitting

swiftness. The jockeys, inspired with the thought of applause and the hope of victory, clap spurs to their willing horses, brandish their whips, and cheer them with their cries."

In this primitive description of horse-racing, the narrator seems to have been somewhat inspired with the excitement of the race; but we wonder what Fitz-Stephen would think if, rising from his ashes, he could be witness to or read an account of the great Derby festival of the present day. "The jockeys, inspired with the thought of applause and the hope of victory, clap spurs to their willing horses, brandish their whips, and cheer them with their cries." Listen, ye Sam Rodgers, Wells, and Fordhams, to the art of jockeyship in those days!

At first sight it would seem as if these races or trials of speed were simply for the purpose of showing off the horse's points or qualities to the purchaser, and this seems the more probable as no mention is made of there having been any prize or reward for the winner. Perhaps such was really the motive when Smithfield was first made a market for the sale of horses; but it appears more probable that at the time Fitz-Stephen wrote, and by his own particulars and description, that the spot was then used as a race-course for the running or racing of horses in a degree distinct from the mere sale of them. It will be noticed that the races at this time were apparently confined to horses of a "strong" and "fleet" kind, and that Fitz-Stephen says the "common" horses were ordered out of the way, which implies that the diversion was

somewhat classified at the time of which he was speaking—if he meant otherwise, the most natural presumption is that the word would have been changed, and he would have said the other or the rest of the horses were ordered out of the way. The word "jockey," too, stands out prominently, for although the word of old signified a horse-dealer as well as a rider of horses, yet he evidently intimates that the horses were backed by some one other than the ordinary riders or equestrians of the day. But it appears more evident still that these races were somewhat systematic from his expression, "as the match is made," which clearly denotes that in all intents and purposes the trials of speed were then *bonâ fide* races as they are in the present day, although the result in those days only conferred distinction and honour upon the winner instead of being made a matter of profit as in the present.

We have entered into these details in order, if possible, to establish the fact of the pastime of horse-racing having been practised in England in the reign of Henry II., and that it was also somewhat general and reduced to a system, as at this period, and for some time after there is a paucity of historical information upon the subject. In Thomson's "Illustrated History of Great Britain," however, we find it stated that "the sports of the common people at this time were bull-baiting, cock-fighting, and horse-racing, which were particularly practised in London in the 12th century." In the succeeding reign, however, it would appear as if horse-racing was common enough in

the Easter and Whitsuntide holidays, as in the old metrical romance of "Sir Bevis of Southampton," who was coeval with Richard I., it is thus alluded to:—

"In somer time at Whitsontyde,
When knights most on horsebacke ryde;
A cours let they make on a daye,
Steedes and Palfraye, for to assaye;
Which horse, that best may ren,
Three myles the cours was then,
Who that might ryde him shoulde,
Have forty Pounds of redy golde."

If Fitz-Stephen's description lacked some of the essentials usual in horse-racing, which left it an open question whether the races described by him could strictly be termed horse-racing or not, we have every deficiency supplied here: the distance, "Three myles," is specified, as also the prize, "forty pounds of redy golde." Here we have proof that not only was horse-racing an established pastime of the country, but that it was one pretty generally indulged in during the holidays, and this in a period only a very few years (at the most ten) subsequent to the record left by Fitz-Stephen.

It is impossible to say what progress horse-racing made for some time after this date as there is no mention of the pastime in any written records of or about this period; but we find that in the latter part of the reign of Edward II., or in the beginning of that of his successor, horses were divided into managed, or those disciplined for war, and into coursers, amblers, palfreys, nags, and ponies, and the word "courser" would

seemingly indicate the race-horse. The word is again made use of in the year 1363, where, in the issue Roll of 37th Edward III., it is thus referred to: "To William de Manton, Keeper of the King's Wardrobe, by the hands of Thomas Spigurnell, Keeper of the King's great horses, in discharge of £119 6*s.* 8*d.*, paid to the same Thomas for the purchase of divers horses from the Executors of the Will of John, late Bishop of Lincoln, viz., one free sorrel Courser, price 20 marks; one Courser spotted with white, price 20 marks; one Courser of a roan colour, from Pappenworth, price 20 marks; one roan-coloured Courser, from Tolney, price 20 marks; one brown bay Courser, price 25 marks; one roan Courser, from Cranbourn, price £10 13*s.* 4*d.*; one brown bay Courser, price £11,"* and several other horses. From this period we must skip to the reign of Henry VII., and although we have no evidence to adduce as to horse-racing being practised in it, yet it may be pertinent to the subject to mention that there were regulations respecting horses themselves; and that as it was common then for herds of horses belonging to different proprietors to graze together in the pastures and fields after the harvests had been gathered in; on account of this promiscuousness horses were gelded, and the stallions were separated and kept in stables or on enclosed lands.

* Devon's "Issues of the Exchequer," p. 180.

CHAPTER III.

Henry VIII.: chief amusements of this monarch; his apparent encouragement of the pastime; Act of Parliament relating to horses made in his reign.—Edward VI.: stealing of horses first made a capital offence.—Elizabeth: the practice of the pastime; books written in her reign.—Horse-Racing: paucity of early information by written records accounted for.—Running horses: explanation of the term.—Horse-Racing in Ireland in A.D. 1566.—Ditch: a noted horse-stealer.—Description of English and Irish horses of the period.

At the outset of the preceding part of our history we have had, in the absence of positive evidence, to rely partly upon inference in arriving at the conclusion sought, but from this point we shall have the assistance of various authorities to help us in showing the extent and progress of the pastime from time to time.

Although not necessary as an historical fact, yet, as our narrative will henceforth be continuous, it will not be out of place to state that Henry VII. was succeeded on the throne by Henry VIII. It may also be remarked here, that in this part of the work, although treating specially of the successive sovereigns, yet many circumstances that occurred in several of their different reigns will be found in a subsequent part, where the various race-meetings are spoken of, and supplying, as it were, additional proof of the statements and arguments in this. But to resume. Henry VIII. ascended the throne in the year 1509, and in the third volume of "Archæologia," p. 157, in a paper therein relating to the

household of this sovereign, there is an account of his Majesty's horses, as follows: "Coursers, young horses, hunting geldings, hobies, Barbary horses, stallions, geldings, mail, bottles, pack, Besage, robe and stalking horses." Turning to another work, entitled the "Privy Purse Expenses of Henry VIII.,"* we find sundry items in it for expenses, from 1529 to 1530, such as "paid to the King's Waterman for wayting that daye, and also the daye that the horses did Rynne;" also items paid to the keeper of the "Barbary horse" for his board for so many weeks; to the same keeper, "by way of rewarde;" a reward also "to the boye that Ranne the horse;" and several other items, including "a bath for said horse." And this author, in the introduction to his work, says of this monarch, that his "chief out-door amusements were shooting at the rounds, hunting, &c., and horse-racing." Henry the VIII.th's acquirements and amusements are also to be found described by the Venetian Ambassador about the year 1521, when Henry was about twenty-eight years of age. "He is," says the Ambassador, "an excellent musician and composer, an admirable horseman and wrestler, and possesses a good knowledge of the French, Latin, and Spanish languages. On the days in which he goes to the chase, he hears Mass three times; on other days he goes as often as five times. He is uncommonly fond of the chase, and never engages in it without tiring eight or ten horses. He takes great delight in bowling; and it is the pleasantest sight in the world to see him engaged in this exercise, with his fair skin

* By N. H. Nicholas, pp. 24, 25, 133, 199, 204.

covered with a beautifully-fine shirt."* It would also appear as if this sovereign personally exerted himself to improve the breed, for Sir Thomas Chaloner, who wrote in the early part of Elizabeth's reign, says, that Henry VIII. was a great admirer of horses, and that he imported some from Turkey, Naples, Spain, and Flanders, for this praiseworthy purpose.

In this reign, also, we find that in order that the country should possess a race having strength and size, the proportion of both sires and dams were regulated by 32nd Henry VIII., cap. 13, which enacted,

"That no person shall put in any forest, chace, moor, heath, common, or waste (where mares and fillies are used to be kept), any stoned horse above the age of two years, not being 15 hands high, within the shores or territories of Norfolk,"

and twenty-six other counties therein enumerated;

"nor under 14 hands in any other county, on pain of forfeiting the same;"

and the act then continues and directs the mode of seizure of horses under such size.† As regards this act, there is no doubt it was a judicious one, and that its results were highly beneficial to the general breed of horses in the kingdom, but it appears to have met with some opposition at the time, for Carew, in his "History of Corn-

* "Biographical Memoirs of the Kings of England."—Mirror, vol. vi., p. 34.

† By the 21st Jac., cap. 28, s. 12, the county of Cornwall was afterwards excepted; and by the 8th Elizabeth, cap. 28, ss. 2 and 10, the limit of 13 hands was given to the marshes in the counties of Cambridge, Huntingdon, Suffolk, Northampton, Lincoln, and Norfolk.

wall," speaks of the enactment as the means whereby that county lost the small breed peculiar to it.

Henry VIII. was fond of pageantry and display; he had also curious ideas, and some of his regulations read oddly enough in these days. It would appear, however, as if he was very fond of horses, as history informs us that he obliged men of position to keep a certain number of them. Thus archbishops, and every duke, were enjoined in this reign to keep seven trotting stone horses of fourteen hands in height for the saddle. Clergymen, also, who possessed a benefice of £100 per annum, or laymen whose wives wore French hoods, or a bonnet of velvet, were ordered to keep one trotting stone-horse under a penalty of twenty pounds.

During the reign of Henry's successor, the stealing of horses was first made a capital offence, as the 1st Edward VI., cap. 12, enacted,

"that no person convicted for feloniously stealing of horses, geldings, or mares, shall have the privilege of clergy."

This statute is noteworthy from the legal blunder made in the wording by the framers of it, for as the act ran only in the plural number, it became a matter of doubt whether a conviction would follow in a case relating to the singular, or where one animal only was stolen, and the mistake was acknowledged and rectified by another, or supplemental act, viz., the 2nd and 3rd Edward VI., which stated that

"all and singular person and persons feloniously taking or stealing any horse, gelding, or mare, shall not be permitted to enjoy the benefit of clergy, but shall be put from the same."

Of the five years during which Queen Mary sat on the throne, the whole period was prevalent with bitter religious enmity, bigotry, and persecution carried to the utmost extreme; and it would be strange indeed if horse-racing, or any other pastime, would be found recorded in this reign. But on the accession of her sister, Elizabeth, this spirit of bigotry gradually passed away; the age became more tranquil, and consequently horse-racing, as well as every other diversion, stood a chance of at least being indulged in, if not of making any great progress. Like her royal predecessor, Elizabeth was much given to displays and pageantry, and we gather from the Rev. W. B. Daniel's work on "Rural Sports," vol. i., p. 415, that her Majesty was remarkably fond of the chase, and very frequently indulged herself in following the hounds; for this reason, the nobility, who entertained her in her different progresses, made large hunting parties, which she usually joined when the weather permitted." There is no record, however, that we know of, stating that her Majesty was ever at a race-meeting, although horse-racing was practised to some extent at this period as will be fully shown hereafter; but from some cause or another, it seems to have fallen into disuse in this reign, for Commenius says that at this day, 1590, tilting or the quintain is used, when a ring is struck with a truncheon, instead of horse-races, which, he adds, are grown out of fashion. That the pastime was practised is clearly evidenced by the works of several writers on the subject. Thus Thomas Blundeville, of Newton Flatman, in Norfolk, whose works are gene-

rally believed to have been written in this reign, although they bear no date, wrote a work on "Riding, Breaking, Bitting," &c., and another from which we transcribe the entire title-page, by which the exact nature of the work will be seen at once. It is as follows:—

The fower chiefyst Offices belongyng to Horse=manshippe.
That is to say
The Office of the Breeder, of the Rider, of the Keeper, and of the Ferrer. In the firste parte whereof is declared the order of breding of hor=ses. In the seconde howe to breake them, and to make theym horses of seruyce, conteyninge the whole art of Ridynge, lately set forth, and nowe newly corrected and amended of mayne faultes escaped in the fyrste printynge, as well touchyng the bittes as otherwyse. Thirdely howe to dyet them, as well when they reste as when they trauell by the way. Fourthly to what diseases they be subiecte, together with the causes of such diseases, the sygnes howe to knowe them, and finally howe to cure the same. Whyche bookes are not onely paynfully collected out of a number of au=thours, but also orderly dysposed and applyed to the vse of thys oure coūtrey. By Tho. Blun=deuill, of Newton Flat=man in Norff.
Imprinted at London by Wyllam Seres dwel=lyng at the west ende of Paules Churche, at the signe of the Hedgehogge,
Cum priuilegio ad imprimendum solum.

In chapter iii., folio 11 of this treatise, where he is speaking of breeding, and the use to be made of the progeny, he says,

"Some man perchaunce would haue a brede of great trottinge horses mete for the war, and to serue in the field * * * Some again woulde haue perhaps a race of swift runners to runne for wagers," &c.

But there is a book entitled, "How to Chuse, Ride, Traine, &c., Horses," by Jervaise Markham, published in 1599, and in that part treating of breeding, the author advises the selection of Arabians for the sire, which he says has "wonderful speede both in short and long courses." He also writes a chapter on the "Secrets and art of trayning and dietting the Horse for a course, which wee commonly call Running Horses," and in describing his system, he advises that the horse shall be put to easy and short gallops for the first two months, and "then being at the least five yeeres old, you may adventure to course him more thoroughly. And if either pleasure or necessity urge you, eyther runne bell course* or wager." We will give another extract as showing partly what the system of training was then, and also the odd style of the writer; but we must premise by stating, that in the course of the animal's training, he recommends the occasional use of vinegar for the horse thus: "squirt a mouthful in his nostrils, the strength of which opens his pipes, making them apt for the receite of wind."

* The race-course was called bell-course at this period, on account of the prizes generally run for being a golden or silver bell.

Having ordered everything for the horse up to the moment of starting for the race, he concludes thus: "This done, leave him to the race, and when you come at the ende thereofe,* where you must uncloathe him, having the vinegar carried after you, do the like there, and so bequeath him and yourselfe to God, and good fortune. Che sera sera."

We have another authority in Bishop Hall, who in the 3rd satire of the 4th book of "Virgidemiarum," where he alludes to the folly of depending upon the lustre of ancestry, rather than upon our own personal merit, says:—

"Tell me, thou gentle Troian, dost thou prise,
Thy brute beasts worth by their dams qualities?
Say'st thou this colt shall prove a swift paced steed,
Only because a Jennet did him breed?
Or say'st thou this same horse shall win the prize
Because his dam was swiftest Trunchefice,
Or Runcevall his sire, himself a Gallaway?
While like a tireling jade he lags half away."

When we come to consider the times of which we have been writing, there need be no astonishment at the lack of written records in which horse-racing would be found chronicled, as the means whereby the particulars could have been furnished were wanting: there were then no newspapers, either metropolitan or provincial, by which the events of the times could be handed down from day to day as they occurred, and form matter for after history. No matter whether the event to be recorded was of simple or material import-

* He means the starting-post.

ance, it was likely to be forgotten for a time, and lost altogether, on account of the dullness of the age in science and art. Even printing at the period of which we are writing was in its infancy; and the *first* newspaper, that mighty and primary engine for the dissemination of news, was only published in this reign, viz., 1588. It is true that details of the pure history of the times are not wanting, but it is very probable that the authorities to whom we are indebted for it would, in collecting their material, even if such a subject as a horse-race had been brought under their notice, discard it as being of no importance, or of less importance than other matter, and it would be passed over accordingly. In the present day, in addition to newspapers themselves, we have not only quick and rapid communication between all parts of the country by a network of railways, but almost instantaneous communication by means of the telegraph. Previous to the reign of Queen Elizabeth, and for long after, communication, either personal or in the shape of news, was a different matter altogether to what it is now-a-days. Neither steam nor electricity were dreamt of in those days. The first coach seen in England was in the preceding reign of Queen Mary;* and the mail coaches were not generally introduced or used in this country till 1785, nearly two centuries after Elizabeth's decease. No wonder with all these drawbacks there is such a paucity of direct information relative to horse-racing in its early periods of existence. Newspapers

* Haydn's "Dict. of Dates." By some authorities the date is fixed earlier.

too, even for a long time after the appearance of the first one, were scarcely worthy of being called such in regard to their contents as "news," but like travellers themselves, the press in those days had to bear with the delays and backward state of the age, and wait for an advanced period to become more worthy of their name and calling.

In the extracts given from writers in Queen Elizabeth's time, it is clearly evident that in this reign not only was horse-racing practised as a general amusement of the people, but that it was also carried out somewhat systematically. Thus Markham speaks of "long and short courses," and also of the "bell course," or race-course, and "wager," or simple match. It is also clear that horse-racing then had some of those distinct and special features about it which belong to the pastime of the present day, as instanced by the "trayning" system of which he treats. And from Bishop Hall we learn the additional fact that the pastime had been common enough to bring it to that degree of progress in which the breed was particularly observed; not the least point of indication marking its universality.

We have previously alluded to "running horses,"—thus, in page 20, "King Athelstan received as a present," etc., "several German running horses"—and as there might be some doubt as to the strict meaning of the word as originally applied, viz., whether "running" horse distinctly pointed to and meant the race-horse, we must call attention to Mr. Markham's work again in explanation, and from this authority there seems to be no doubt that in their original use the words had the

same meaning as is applied in the present day, and that "running" horses meant no other than race-horses. He says, in speaking of the art of training a horse for a course, "which wee commonly call running horses." This we take to be sufficient proof of the exact meaning the words were intended to convey, both at the time he wrote and also previous to it, from which he would derive his own information. In works of a little later date, the same word is used by other authorities, and with a similar meaning.

It may also be mentioned here, that in Camden's "Britannia,"* where reference is made to the customs of the Irish and the pastime of horse-racing—and borrowing, as the author says, from a priestly authority who wrote in 1566, where allusion is made to the superstitious ideas then prevalent amongst them—it is stated that "if they never lend out fire to their neighbours, they imagine it adds length of life, and much health to their horses. When the owner of a horse eats eggs, he must be very careful to eat an even number, otherwise they endanger their horses. Jockeys are not at all to eat eggs, and whatever horseman does it, he must wash his hands immediately after." This quotation is given for the purpose of showing the evident meaning conveyed therein by the word "jockey." The same word is used by Fitz-Stephen, in his account of the races at Smithfield, and commented on in page 23; but used as it is here, it seems to have a more special meaning—one quite distinct and separate from that of horse "dealer"—and without doubt is meant to indi-

* Edition of 1695, p. 1047.

cate the *professional* rider. The word "horseman," it will be noticed, follows the word jockey.

Up to this date in our history, it would appear as if horse-racing was practised chiefly for amusement, as in its infancy was most natural, and also probably as an inducement to the improvement of the breed. Some method of improvement was evidently necessary about this period, as according to most accounts the English horses were but sorry cattle; so poor as a class, that many of those used for military purposes were imported, and the markets of France and Flanders supplied the principal portion of them.

During the reign of Elizabeth, Holinshed mentions in his "Chronicles" that a noted horse stealer, named Ditch, was apprehended, charged upon nineteen different indictments, and eighteen of which he confessed to. It appears that between the time of his apprehension and the Sessions, he appeached many of stealing horses, whereof many were taken up, and ten of them condemned and hung at Smithfield on horse-market day there, a day specially selected, we presume, in order that the warning and example to such like evil doers should be the more notorious and efficacious amongst the fraternity. This man, Ditch, was evidently possessed of the full cunning peculiar to his tribe, as it is said he practised the dodge of acting also the part of common informer, by helping many to recover their stolen horses, charging as a fee ten shillings each, whereby, says Holinshed, "he made fifteen Pounds of current money towards his charges." *

* Vol. iii., p. 1356.

The same authority, in speaking of the English horses of about this period,* says they are prized on account of the easiness of their pace. He remarks also upon their being made use of to carry great burdens, and their great strength in this respect; and that princes and the nobility have their carriage commonly made by carts. The saddle horses, he tells us, are mostly geldings, and their easy pace is the delight of Englishmen. One circumstance in connexion with the horse he particularly notes, and we find that, even in those early days, the age was old in respect to the deceit and fraud used by "our horse keepers, horsse corsers, and hostelers," which has been so common in later and even recent periods. "Such," he says, "is the subtill knauerie of a great sort of them (without exception of anie of them be it spoken which deale for priuat gaine) that an honest meaning man shall haue verie good lucke among them, if he be not deceived by some false tricke or other. There are certeine notable markets, wherein great plentie of horses and colts is bought and sold, and whereunto such as haue need resort yearelie to buie and make their necessary prouision of them, as Rippon, Newport pond, Wolfpit, Harborow, and diuerse other. But as most drouers are verie diligent to bring great store of these into those places; so manie of them are too lewd in abusing such as buie them. For they haue a custome to make them looke faire to the eie, when they come within two daies journeie of the market, to driue them till they sweat,

* Holinshed's "Chronicles," of which the first edition, 2 vols., folio, was published in 1577, and the second edition, and third vol., in 1587.

for the space of eight or twelue houres, which being done they turne them all ouer the backs into some water, where they stand for a season, and then go forward with them to the place appointed, where they make sale of their infected ware, and such as by this meanes doo fall into manie diseases and maladies. Of such outlandish horses as are dailie brought ouer unto us I speake not, as the genet of Spaine, the courser of Naples, the hobbie of Ireland, the Flemish roile, and Scotish nag, because that further speech of them commeth not within the compasse of this treatise, and for whose breed and maintenance (especially of the greatest sort) King Henrie the eight created a noble studderie and for a time had verie good successe with them, till the officers waring wearie, procured a mixed brood of bastard races,* whereby his good purpose came to little effect. Sir Nicholas Arnold of late hath bred the best horsses in England, and written of the manner of their production: would to God his compasse of ground were like to that of Pella in Syria, wherein the King of that nation had vsuallie a studderie of 30,000 mares and 300 stallions, as Strabo dooth remember."

Of the Irish horses, he says they "are of pase easie, in running wonderful swift, in gallop both false and full indifferent. The nag or the hackeneie is verie good for trauelling, albeit others report the contrarie. And if he be broken accordinglie, you shall have a little tit that will trauell a whole daie without anie bait."†

* So called then on account of foreign blood with native.

† Vol. i., pp. 20, 220.

CHAPTER IV.

James I: his permanent establishment of the pastime in England. — Scotland: Horse-Racing in; Scotch Act relating thereto. — King James's patronage of Horse-Racing; his exertions to improve the breed; sporting propensity of this Monarch; summary of progress made by the pastime and books written in this reign.

KING JAMES VI. of Scotland and First of England was Queen Elizabeth's successor on the throne, and to this monarch the Turf is indebted for placing it upon a solid basis, and making it a permanent institution. In and from this reign, from royal patronage accorded and rules promulgated for its regulation, it will be seen that horse-racing made gradual and almost uninterrupted progress, till it ultimately reached its zenith. While James was on the Scottish throne he was much given to field sports, and patronised both hunting and horse-racing; and his Scotch subjects were not averse to the pastime, where it originated from an accidental circumstance. It appears that several Spanish horses were thrown upon the coast of Galloway from some of the vessels belonging to the Spanish Armada, which were wrecked during the reign of Elizabeth, and the spirit and swiftness of these horses were noticed, and, we presume, frequently put to the proof, for the partiality of the Scotch for the pastime ultimately became

a passion; and it would appear that during James's reign there they became possessed of such a furious spirit of gambling, that it was found necessary to restrain their passion for the sport and betting upon it, and a law was passed which ordained that no person should win more than one hundred marks, the surplus being declared to be the property of the poor. The following is the statute referred to:

Act King James the Sext. (1621).

"Anent playing at Cardes and Dyce and Horse Races."

"And if it shall happen any man to winne any summes of money at Carding or dycing attour the summe of an Hundreth Merks within the space of twenty four Houres, or to gaine at Wagers upon Horse Races any summe attour the said summe of an Hundreth Merks, the superplus shall be consigned, within twenty four Houres thereafter, in the Hands of the Thesaurer of the Kirk, if it be in Edinburgh, or in the Hands of such of the Kirk Session, in the Countrey Parochines, as collects and distributes money for the Poor of the same; to be imployed alwayes upon the Poor of the Paroche where such winning shall happen to fall out. And to the effect that either Excesse in Play may be thus restrained; or at the least excessive Winning may be imployed as said is,

Our Sovereign Lord, by act of his supreme Court of Parliament, gives full Power and Commission to the Bailies and Magistrates of Burrowes, the Sherriffs, and Justices of Peace in the County, to pursue and convene all such Persons for all Winning at Cardes, Dyce, and Horse Races, which shall happen to be made by any Person, by and attour the said summe of an Hundreth Merks money aforesaid.

And in case the Magistrate informed thereof refuse to pursue for the same, the Party Informer shall have action against

the said Magistrate for Double the like summe ; the one Half whereof to be given to the Poor, and the other Half to the Party Informer."

It was not long after King James ascended the English throne when we find him patronising and fostering horse-racing in this country, and making it a general and national amusement. Although, strictly speaking, he did not originate the races at Newmarket, yet his patronage accorded them at once made Newmarket head quarters, and led to their being permanently established there ; and he had a house built at Newmarket for the purpose of enjoying hunting and field sports, and which was long known as the "King's House."* In 1603, James commenced to rule over his English subjects, and "on the 26th of February, 1605, the king was (probably for the first time) at Newmarket, where, on that and the following day, he knighted" several gentlemen ; and the next day, "the 27th, was passed principally in the sports of the field."† But it was not Newmarket alone that had his patronage and support, for it appears from the same authority that his Majesty was at Lincoln, where, "on Thursday, 3rd April, 1617, there was a great Horse-race on the Heath for a Cupp, where his Majesty was present, and stood on a Scaffold the Citie had caused to be set up, and withall caused the race a quarter of a mile long to be raled and corded with rope and hoopes on both sides, whereby the people were kept out, and the horses that ronned were seen faire." So here we not only find his

* Lewis's "Topographical Dictionary," vol. iii., p. 367.
† Nichol's "Progresses of James I."

Majesty at the races, but so far interested in the proceedings as to take upon himself the duties of a Clerk of the Course. Again, on the following day, we are told, "there was a great Hunting, and a race by the horses which rid the seat for a golden Snaffle; and a race by three Irishmen and an Englishman, all which his Majesty did behold. The Englishman wonne the race."* A few days later it appears the King was at Durham, and his visit is thus recorded. "The next day, the King travelled from the Castle to Woodham Moor, to a horse-race, which was run by the horses of William Salvin and Master Maddocks, for a Gold Purse, which was intended to have been on the 8th April, but, on account of the King's coming, was put off till the 21st, which match the King saw."† About two years after this again, we learn from the same writer, that on the 19th of March, 1619, "there was a horse-race at Newmarket, at which the King tarrying too long, in his return from Newmarket, was forced to put in at an inn at Whichfordbridge by reason of his being indisposed, and came very late in the night to Royston."

But the Turf is indebted to King James for something more than his mere public patronage of the race-course. It was no doubt a great boon to its interests to encourage the sport itself, particularly at a time when some such extraordinary support was really required to bring it into permanent form and repute, but the *improvement* of the *race-horse* was of far greater importance. To this desideratum King James turned his attention,

* Nichol's "Progresses of James I.," vol. ii., p. 265.
† *Ibid.*, vol. iii., p. 279.

and by this action on his own part brought the subject into general notice. The crossing of foreign blood with the English horse was not new at this period, but Arabian blood had never before been tried,* and to James I. is due the credit for attempting that, which although considered at the time a failure, has finally resulted in the excellence exhibited by the English race-horse of the present day. To carry out his object, King James purchased of a Mr. Markham an Arabian, for which he gave £500! an enormous sum in those days. This horse also appears to have been put in training and run on the course, but, on trial, was found to be deficient in speed. This failure, however, did not appear to damp the ardour of the King, for he afterwards purchased the White Turk from Mr. Place.† It appears that the want of speed, as above alluded to, operated to the prejudice of the Arabian in general opinion for some time after; and the Duke of Newcastle, who seemed to dislike Mr. Markham's Arabian in particular and the breed generally, heightened this prejudice by his remarks in his really clever work on Horsemanship,‡ where, in the second volume, he says, "but we have of late years run too much into the Barbs and Arabian kind;" he admits they have size, but he says they lack substance to carry weight.

* This was not the first Arabian that appeared in England, for it appears that in 1121, Alexander, King of Scotland, presented to the Church of St. Andrew's an Arabian horse, as also some costly furniture and a large estate. The giving of the latter is easily understood, but of what use the horse could be to the Church, without even then there were sporting parsons in the world, is not so easy of comprehension.

† Mr. Place was subsequently Stud Master to Oliver Cromwell.

‡ "A General System of Horsemanship," by William Cavendish, Duke of Newcastle.

In the character of King James as furnished by his historians, we find two particular traits alluded to—the one, his fondness for polemics; the other, his partiality for field sports. One history in particular* in reference to the latter, says, "the new King spent most of his time in hunting, his love of field sports increasing with the means of gratifying it." London, it appears, and other scenes of "business and employment" were forsaken—deserted too, for "Royston and Newmarket." Evidently these latter sporting localities had a strong charm, for we are further informed that "the affairs of the state might wait, but James would not lose his sport."

It would certainly appear as if the character of James was not overdrawn in respect to his sporting propensities, for finding an attempt made to encroach upon some of the time which he wished to devote to them—which attempt to divert his Majesty's time and attention somewhat more to matters of state is not to be wondered at—he issued a proclamation that "none should come to him on hunting days;" which, laments the same historian, "days of sport occupied one half of James's year." No doubt many praiseworthy and respectful endeavours were made to wean the King's affections from Newmarket and other sporting localities, and an amusing anecdote on the subject is recorded as follows:—It appears that one day, one of the King's special hounds, called Jowler, was missing. The King, who was at Royston at the time, was in anything but a good humour on account of matters of state being

* "Pictorial History of England," vol. iii., pp. 3, 19.

pressed upon him, and which threatened to interfere with his sport. The next day, the King and his attendants were on the field, when the missing Jowler came in among the rest of the hounds; the King was told of him, and was very glad; and looking on him, spied a paper about his neck, and on the paper was written: "Good Mr. Jowler, we pray you speak to the King (for he hears you every day, and so doth he not us) that it will please his Majesty to go back to London, for else the country will be undone: all our provisions is spent already, and we are not able to entertain him longer." The joke appears to have been taken in good part by his Majesty, but it did not have the immediate effect intended, as we are told the King resolved upon staying there a fortnight longer.

That this monarch had many good qualities there can be no doubt, but unfortunately his want of firmness, or fickleness of mind counteracted as results what would otherwise have shown wisdom of thought and deliberation, and boldness or greatness of action. Sir Walter Scott in introducing us to King James in his private cabinet,* says, "the scene of confusion amid which he found the King seated, was no bad picture of the state and quality of James's own mind. There was much that was rich and costly in cabinet pictures and valuable ornaments; but they were arranged in a slovenly manner, covered with dust, and lost half their value, or at least their effect, from the manner in which they were presented to the eye. The table was loaded with huge folios, amongst which lay light books of jest and

* "The Fortunes of Nigel."

ribaldry; and, amongst notes of unmercifully long orations, and essays on Kingcraft, were mingled miserable roundels and ballads by the Royal Prentice, as he styled himself, in the art of poetry, and schemes for the general pacification of Europe, with a list of the names of the King's hounds, and remedies against canine madness."

One more extract from "London Sports and Pastimes," illustrative of the character and sporting tendencies of King Jamie and we quit the theme. The following are a set .of "Rules" drawn up by his Majesty, and addressed to his eldest son, Henry Prince of Wales, respecting what amusements he should favour:—

"From this court I debarre all rough and violent exercises; as the foote-ball, meter for laming than making able the users thereof; as likewise such tumbling trickes as only serve for comœdians and balladines to win their bread with; but the exercises that I would have you to use, although but moderately, not making a craft of them, are running, leaping, wrestling, fencing, dancing, and playing at the caitch or tennise, archerie, palle-malle, and such like other fair and pleasant field games. And the honourablest and most recommendable games that yee can use on horseback, and especially such as may teach you to handle your arms thereon, such as the tilt, the ring, and low-riding for the handling of your sword. I cannot omit here the hunting, namely, with running houndes, which is the most honourable and noblest sort thereof; for it is a thievish sort of hunting to shoote with gunnes and bowes; and

greyhound hunting is not so martial a game. As for hawkinge, I condemn it not, but I must praise it more sparingly, because it neither resembleth the wars so neere as hunting, and is more uncertain and subject to mischances; and, which is worst of all, is there—through an extreme stirrer up of the passions. As for sitting or house pastimes, since they may at times supply the rooms which, being empty, would be potent to pernicious idleness, I will not therefore agree with the curiosity of some learned men of our age, in forbidding cards, dice, and such like games of hazard: when it is foul or stormy weather, then, I say, may yee lawfully play at the cardes or tables; for, as to dicing, I think it becometh best deboshed souldiers to play it on the heads of their drums, being only ruled by hazard, and subject to knavish cogging; and as for the chesse, I think it overfonde, because it is overwise and philosophicke folly."

As a summary of the progress the Turf made during the reign of James I., we may say that the sport itself from royal countenance and support, began to have the patronage of the public generally. The improvement of the English racer by the infusion of Arabian blood, was first attempted. Pedigrees began to claim more particular attention. The training discipline of the race-horse as regards food, physic, exercise and sweats, became systematically attended to; and the weights to be carried (usually 10 stone) were for the first time adjusted. In fact, horse-racing became popular, and as a natural consequence, many matters not previously attended to were now introduced; and an

instance of its progress and popularity is to be found in the fact of several books being published in this reign on the subject generally. Thus, in 1616, Gervase Markham's. "Medicine for Horses" was written, in which, speaking of the age when horses may be used for different employments, he says, "they are fit for the saddle at foure yeares of age, for the wars at six, for the race at eight, and for hunting, or extreme matches, at ten or eleun" (eleven); and this writer also lays down rules or "orderings" for the training of the horse for wagers. In 1618, Michael Baret's "Hipponomia, or the Vineyard of Horsemanship" was published, and it is to be noted that the first book, which treats of hunting and running horses, is dedicated to King James, which may be taken as an acknowledgment of the estimation in which this monarch was held by the sporting world of the age. The title page, as follows, is intended to explain the work, and shows that it is "Deuided into three Bookes. 1st, The Theoric Part, intreating of the inward Knowledge of the Man. 2nd, The first Practicke Part, shewing how to worke accordinge to that knowledge. 3rd, The second Practicke Part, declaring how to apply both hunting and running horses to the true grounds of this art, in which is plainly laid open the Art of Breeding, Riding, Training, and Dieting of the said Horses." And in the last part (page 73) the racer is not only treated of in a somewhat lengthy and, for the age, learned manner, but we find the pastime had become sufficiently developed by practice to admit of somewhat deep calculations respecting the relative speed of race-horses. In the following

quotation the question argued is that between two horses running a race, in which one starts at full speed, and the other makes what we should term a waiting race of it.

" I will now prove my former assertion that a horse which runneth hot at hand, but will not hold it, cannot be truly said to be of such speed as another horse that is not altogether so speedy as the first, but yet durable.

" For instance, take a number as 20, and divide it first into two equal parts, as 10 and 10, and let that be supposed the tough or whole running course; then take the same number again and divide it into two unequal parts, as 15 and 5, and let that be imagined the hot running horse. Now multiply 10 by 10, and the product will be 100; then multiply 15 by 5, and that product will arise but to 75; and yet you see that 15 and 5 added together maketh 20 as well as 10 and 10 maketh 20, although the product of that is not so great as the product of this by 25. And the reason is that the difference of the excesse from 10, which is the meane (being 5), is not multiplyed equally in itselfe: for 5 being the multiplyer, multiply 10 by 5, and it yieldeth 50, and multiply 5 by 5, because it is the excesse, and it produceth 25, which being added to 50 maketh 75 as afore: but multiply 5 again by itselfe and it bringeth 25 more, which being added to 75 maketh 100, answerable to the product of 10 and 10; so that you see tho' 15 is more than 10 and hath the vantage at the first, yet 5 is lesse than the other 10 by the square of 5, which is the excesse, and so loseth that advantage by the quantity of the square of the excesse as is demonstrated.

"Even so the whole running horse (tho' not altogether so speedy at the first), holdeth his speed from the first to the last, whereby there is no losse, but produceth the best advantage, as it doth being multiplyed in itselfe, but the unequal or false running horse, although he have the advantage at the first, as 15 hath of 10 to the outward sense, and so may hold it halfe the course; nay, it may be ¾ as to 75, yet by reason that his running tendeth not to the meane, but to the excesse, he will lose that advantage at the latter end, inasmuch as he hath a less proportion of strength and winde to maintaine him at the last, and so the further he runneth, the more he setleth, as the last 5 does of the last 10. Whereby it is playne that long and true training doth not pull a horse from his speed, but rather increases it, altho' he runne not so violently fast at the first as hee did, seeing true and whole running horses are to bee accompted the swiftest horses, and do worse the other, which rested to be proved."

In addition to the foregoing works, there were a few others published in and about this period. There is also on record a wager against time performed in this reign: in 1604, John Lepton, Esq., one of his majesty's grooms, undertook to ride five times between London and York, from Monday morning until Saturday night, and the task was successfully accomplished in fiye days. Probably this is the first match on record of that description; and full particulars of it are given in the "Sporting Magazine" for 1792.

CHAPTER V.

Charles I. : nature of the times inimical to the pastime in this reign, but nevertheless in vogue.—Commonwealth : unsettled nature of the country opposed to practice of Horse-racing, but Puritanical spirit of the age no obstacle ; the pastime made use of to cloak unlawful designs, and Cromwell's proclamations against Horse-races being held.—Charles II.: loose charactef of the age. ; Charles's great patronage of the sport ; his exertions to improve the breed.—Newmarket.—Royal plates of £100 first given in this reign.—Statute : 16 Charles II.—Books written in foregoing reigns.

Of King James's son and successor, the unfortunate Charles I., there is very little to relate relative to sporting matters, but it is recorded that sometime during his reign, fears being entertained that horse-racing was making too much progress and operating to the detriment of the general breed of horses in the kingdom, a memorial was presented the king "touching the state of the kingdom, and the deficiency of good and stout horses for its defence, on account of the strong addiction which the nation had to racing and hunting horses, which, for the sake of swiftness, were of a lighter and weaker mould." * Considering the unsettled nature of the times during the latter part of this king's reign, in the greater part of which he and his advisers were acting in direct opposition to the English laws, and consequently were at variance with the Parliament and people, it is not a matter

* Youatt on the Horse, p. 64.

of surprise that public attention would be taken up with more weighty matters than horse-racing. Nevertheless, in the early years of this monarch's reign, horse-races were held in several parts of the kingdom, at some of which the king was present; and it would appear that in this period of history—from the comedy of the "Merry Beggars, or the Jovial Crew"*—horse-races were first held in Hyde Park, as the following passage shows:—"Shall we take a fling to London, and see how the Spring appears in Spring Garden, and in Hyde Park to see the Races both Horse and foot." In this reign, also, horse-racing was somewhat frequently indulged in at Barnet as the following will show:—

> "Barnet is a place of great resort,
> and commonly vpon Market the dayes,
> Heere all the countrey gentlemen appoint
> A friendly meeting: some about affaires
> of consequence and profit; bargaine, sale,
> and to conferre with Chap-men; some for pleasure,
> To match their horses; wager in their dogs;
> Or trie their hawkes; some, to no other end,
> But onely meet good company, discourse,
> Dine, drinke, and spende their money." †

And the practice of the pastime was no uncommon occurrence at Epsom, as we find from Clarendon's "History of the Rebellion," where it is thus alluded to:—"Soon after the meeting which was held at

* Written in 1641, and published in Dodsley's "Collection of Old Plays."

† Heywood's "English Traveller."

Guilford, May 18, 1648, to address the two Houses of Parliament . . . . a meeting of the Royalists was held on Banstead Downs, under the pretence of a Horse-race, and 600 horses were collected and marched to Reigate."

In 1636, Gervase Markham's "Masterpiece" was published. This work certainly treats mainly of matters connected with horses in general—physical and chirurgical diseases and their cure—and makes no special mention of the race-horse, but as we have elsewhere alluded to a work bearing the same name, and this one is a curiosity in its way in having some rather extraordinary engravings (or what may be considered such compared with similar specimens of the graver's skill and art of the present day) of the form, skeleton, veins, &c., of the horse, we notice it here, and also for the reason that the author prefaces the the work by an "admonition to the reader" that there were several (there were five or six published in the sirname of Markham) stolen "peeces and Pamphlets christened in my name, and printed without my knowledge or assistance, with twice so many faleshoods as pages;" that the same are "Bastards and Abortive;" and that, with the exception of this book and the first, "entitled my masterpiece, I was never so happy as to be made a Godfather."

During that period of English history known as the Commonwealth, the nation was far from being in that settled state and quietude necessary to the indulgence or progress of any national amusement, and the habits and ideas of the major or dominant section of society

had puritanical, not sporting, inclinations, so that the decline rather than progress of the pastime might be looked for. But with all these apparent drawbacks, the pastime was neither suffered to die out altogether, nor did it even meet with the opposition in practice that might have been expected from the predominant sanctity of the age. This toleration of what in the nature of comparison may be termed an ungodly recreation by a pious brotherhood, may seem unaccountable, but the truth is the Turf was at this time in a pure state, and was not then contaminated by the chicanery and reckless spirit of gambling which attached itself to the sport in after years; and thus even the Puritans, who sternly and almost fanatically condemned almost every other species of amusement, relaxed in favour of the race-course; and doubtless the practice of horse-racing was countenanced by them as the means whereby an important and essential object was to be accomplished, viz., the improvement of the general breed of horses in the kingdom. But be this as it may, the practice of the pastime was permitted; and the fact of its being so is the greatest credit that could be offered to the Turf and its votaries of the period. Cromwell himself saw the importance of the nation possessing a good breed of horses, and kept a stud which included the famous White Turk, and a brood mare called the Coffin Mare.*

Experience has often enough shown how easy it is for that which was innocent and harmless enough in

* So named from being found in a vault during a search for Cromwell's effects at the time of the Restoration.

itself to be converted into and made a pretext for the perpetration of evil designs, and we have an instance during the Commonwealth, which rendered it necessary for the Protector to deal a blow, fatal, for the time, to the interests of the Turf, which he would not have done from inclination, but which he was forced to do from necessity. In a Proclamation, dated Whitehall, February 24, 1654, we find, "That his Highness the Lord Protector being informed that several horse-races are appointed in divers parts of the Commonwealth, and considering how great a concourse of people do usually frequent such meetings, and the evil use made thereof by such ill-disposed persons as watch for opportunities to raise new troubles; for the better preventing of the evils which may arise thereby to the people of this Commonwealth, his Highness, by the advice of his Council, doth hereby prohibit and forbid all horse-races, and all meetings of any persons whatsoever, upon pretence or color of any horse-races, in any place within England or Wales, for the space of six months from the 26th February, 1654; and doth hereby straightly charge and command that no person or persons whatsoever, during the space of the said six months, do appoint any horse-race, or do assemble, or meet together upon, or by color of any appointment of any horse-race, or do be present at such horse-race, as they would avoid being guilty of the danger that may ensue thereon, and as they tender the peace and security of the nation." This proclamation further provides that justices and soldiers quartered near are ordered to

prevent such meetings. It would seem not only that the step taken was a necessary one at the time for the peace and security of the Commonwealth, but that the pretext was one made pretty frequent use of whenever circumstances allowed, for a few years afterwards another Proclamation was issued by Cromwell prohibiting the holding of race-meetings for a further period of eight months from the 8th April, 1658.

Thus, during a period in which from the nature of the times serious obstacles existed to the prejudice of horse-racing, yet, nevertheless, we see that neither the people nor their ruler were averse to, but on the contrary in favour of, the pastime; and there is no doubt that had the period been a tranquil one, and the prohibition of the sport not necessary, that the Turf would have made great progress. The Turf, however, was not responsible for its want of progress, but the fault rested with those who, under shadow of its name, and for objects totally foreign to its nature, made its meetings the nucleus for purposes and designs opposed to law and order, and inimical to the governing power.

During the period that Cromwell ruled over England, Launcelot Thetford's "The Perfect Horseman" was published (in 1655), which, strangely enough, is said by the writer to contain many "rare secrets" of the very author, who, a few pages back, found it necessary to warn the public of publications containing double the number of "falsehoods as pages" that had been fathered upon him. Concerning these rare secrets, Mr. Thetford says that, "notwithstanding all Mr. Markham's promises in his former books to lay open

his Cabinet Councils," he had not done so, but the same having been left him (Mr. Thetford) by Mr. Markham as a legacy, for his own private use and experience, and which he had employed for above forty years with success, he now gives the same for the benefit of mankind at large. It is certainly very singular that in the first place Mr. Markham was obliged to *repudiate* a batch of ideas and opinions which were some one else's, but which had been palmed off to the public in his name, and in the second, that not long after he should be taken to task for acting (we presume) upon his own judgment in withholding "secrets," and which another person thought proper to make public. Probably, Mr Markham intended his private ideas to remain "rare secrets" as far as the public was concerned; and, indeed, we may reasonably suppose such was the case, as he did not publish them himself, and we further learn from Mr. Thetford that they were left him for his own *private* use and experience. However, Mr. Markham pays the debt of nature common to mortals, and—out jump the secrets! "The Perfect Horseman" is divided into seven heads or parts, one of which treats at some length of the duties of the "Feeder" or trainer, and the time necessary "for preparing or making ready of an horse for a match or great wager," &c.

In the last two periods of our history, viz., that ending with Charles I. and the Commonwealth, the Turf could not be expected to make much progress on account of the peculiar drawbacks which existed,

and which were directly opposed in nature to the pastime itself—an opposition evinced in the events of the times, the consequent nature and disposition of the people, and the individual inclination of their rulers. But with a change in the succession, came an entire and complete alteration in these particulars. The Restoration placed upon the throne one who has been aptly enough termed the "Merry Monarch," and the habits and disposition of the people, which previously had been exceedingly grave and serious, now became just as reckless and dissipated. Charles I. during his reign was almost entirely engaged in political battles with his Parliament, or else in actual civil war with his people, but withal he was a good man, and an eminently pious Christian; and something similar was the rule and character of Cromwell. But Charles II. was the exact reverse of either, for he was pre-eminently careless, either in matters of religion or state, and his whole reign was one scene of roysterousness and amusement. From the two former rulers an institution like the Turf could neither expect to receive much encouragement nor make much progress, while from the latter it might expect any and every thing, and certainly its expectations were not altogether disappointed. It would seem too, with respect to Turf gambling, as if the age was somewhat fitted for the reckless nature of the monarch who was now to rule England's destinies, for in the first year of Charles II.'s reign, viz., 1660, "Burton's Anatomy of Melancholy" was published, and in part ii., sect. 2, chap. iv., is to be found this observation:—"Horse-races are

desports of great men, and good in themselves, though many gentlemen by such means gallop quite out of their fortu es." We have said that the Turf is indebted to James I. for having placed it upon a solid basis, and made it a permanent institution; and we may say of Charles II. that he firmly established its notoriety.

In early times, Newmarket seems to have been a favoured spot. We have seen efforts made to draw James I. away from the locality, and although we are not aware that any such attempts were made in respect to the "Merry Monarch," it is certain he greatly patronised the place and the races held there. The house, or palace, as it has been called by some, which James built there, had fallen into decay during the civil ·., but Charles II. both repaired and enlarged it, and also added extensive stabling for the use of his horses, which he entered and ran in his own name.

King Charles II. appears not only to have entered fully into the pleasures of the sport itself, but to have had its essential interests at heart. He also, like James I., endeavoured to improve the breed, and to carry out this important object, one of his Masters of the Horse—either Sir Christopher Wyvill or Sir John Fenwick, it is not clear which—was despatched to the Levant for the purpose of procuring horses for breeding from; and the mares thus purchased and imported, and we believe several of their produce also, were then, and are to this day, termed "Royal mares" in the Stud Book. The races at Newmarket were also divided by Charles into regular meetings; and he gave

an additional and great impetus to the pastime, by substituting there, and at other race-meetings, silver cups of the value of £100 each, on which it became customary to engrave the winner's name and exploits, in lieu of the former gifts of silver bells. Besides the extensive support accorded to Newmarket, Charles II. also instituted horse-races at several places which he was in the habit of frequenting, a proof in itself how fond his Majesty was of the pastime. Thus, when at Windsor, horse-races were run upon Datchet Mead, and also in other localities, Burford Downs in particular, where the races are alluded to in the following doggrel verses, written by Matthew Thomas Baskervile, about the year 1690 :—

"Next for the glory of the place,
Here has been rode many a race ;
King Charles the 2nd I saw here,
But I've forgotten in what year ;
The Duke of Monmouth here, also,
Made his horse to sweat and blow ;
Lovelace, Pembroke, and other gallants,
Have been venturing here their talents ;
And Nicholas Bainton, or black sloven,
Got silver plate by labour and drudging."

We have previously alluded to a work written by William Cavendish, afterwards Earl, Marquis and Duke of Newcastle. This book was originally written in French, and published at Antwerp, but there is an English edition dated 1658. The work is dedicated to Charles II., who was his pupil in the equestrian art, and to whom the duke was governor when the former

was Prince of Wales. "A General System of Horsemanship" is a really clever and elaborate treatise, relating principally to the management of the horse, but includes a good deal of what, in the present day, would be considered to belong peculiarly to a circus, and out of place anywhere else. In the second volume, however, a considerable portion of the subject matter is of breeding, and of running and hunting horses, and respecting the two latter, he says, "of late years our breed is spoiled in England in all sorts of horses, by beginning to make use of them too early. By this means we never know the goodness of a horse, while some people attribute to an infirmity, either in the horse or the mare, the fault which is only in themselves. For by putting them to running, hunting, &c., or any kind of labour before they come to be turned of four years old, we run the habit of spoiling them; and then they should be very gently used till they are turned of five, and but moderately till after six, which will make them prove more lasting and hardy." These remarks, penned upwards of two hundred years ago, are even more applicable in the present day than when they were written, owing to the now general and excessive custom of a practice which he so pointedly condemns. What would the Duke say to the number of horses now brought out to run on the course as two-year olds, by which their powers are not only strained to the utmost, and to an extent beyond what their natural powers warrant from insufficient development, but they undergo in training an exertion preparatory to the race itself which not only tends to weaken, in most

cases, the natural physical powers of the animal, but in many must destroy it altogether? But let us return to the Duke's treatise. It contains over forty well-executed plates, some of which are not only odd in design, but would lead one to suppose the Duke was somewhat vain-glorious in his ideas. For instance, in one the Duke is seen mounted on Pegasus, who is performing a capriole in mid air, and vigorously "yerking" out behind, and below are seen eleven horses in a semicircle, each on his haunches, with their fore-feet elevated as if paying the Duke obeisance, and above all is the full conclave of Olympus. In another, we see the Duke seated in a triumphal car, drawn by two centaurs, and surrounding him are some nineteen or twenty horses paying reverence on bended fore knees. The work we have been speaking of is the principal one written by the Duke, but he also wrote and published another, in 1667, called "A New Method and Extraordinary invention to Dress Horses," and in which, amongst other matters, the works of previous writers on horsemanship are spoken of.

In this reign an Act was passed for the purpose of putting a restraint upon gaming and betting on horse-races to an excessive amount upon tick, or credit. It seems somewhat paradoxical, that in an age when all classes of society indulged so extensively in the vice, and the King and Court, above all, were steeped in this as well as other evils and profligacy, that any legislative restraint should have been imposed upon passions which it was quite fashionable at that time to gratify to the full bent. However, such was the case; and as the

celebrated Qui Tam actions brought in 1843-44 against certain noblemen and gentlemen to recover penalties for betting were partly based on this Act, we shall give it somewhat *in extenso*.

16 Charles II., cap. 7.

"An Act against deceitful, disorderly, and excessive Gaming."

The preamble sets forth that all games and exercises should only be used as innocent and moderate recreations; and where used in a contrary sense, they encourage idleness, and tend to a dissolute course of life, "and to the circumventing, deceiving, cousening, and debauching of many of the younger sort, both of the nobility and gentry and others, to the loss of their precious time, and to the utter ruin of their estates and fortunes, and withdrawing them from noble and laudable employment and exercises."

All this was undoubtedly very right and proper, but one cannot help thinking, that if the "Merry Monarch" was at all aware of what his faithful Parliament was doing, he must have been more or less puzzled at the proceedings, and in doubt whether the sermon was really intended to be serious, or only meant for a joke. However, it was "therefore enacted," that after the 29th September, 1664, no persons of any degree &c., shall by deceit, or otherwise, "in playing at or with cards, dice, tables, tennis, bowles, kittles, shovel-board, or in any cock-fightings, horse races, dog matches, foot races, or other pastimes, game or games whatsoever, or in or by bearing a share or part in the stakes, wagers, or adventures, or in or by betting on the sides or hands of such as do or shall pay, act, ride, or run as aforesaid, win, obtain, or acquire to him or themselves, or to any other or others, any sum or sums of money, or other valuable thing or things whatsoever, that then every person or persons so offending as aforesaid, shall, *ipso facto*, forfeit and lose treble the sum or value of money or other thing or things so won, gained, obtained, or acquired, the one

moiety thereof to our Sovereign Lord the King, his heirs and successors, and the other moiety thereof unto the person or persons grieved, or who shall lose the money or other thing or things so gained, so as every such loser and person grieved in that behalf do or shall prosecute and sue for the same within six calendar months next after such play; and in default of such prosecution, the same other moiety to such person or persons as shall or will prosecute or sue for the same within one year next after the said six months expired; and that the said forfeitures shall or may be sued for or recovered by action of debt, bill, plaint, or information, in any of his Majesty's Courts at Westminster, wherein no essoign, protection, or wager of law shall be allowed; and that all and every such plaintiff or plaintiffs, informer or informers, shall, in every such suit and prosecution have and recover his and their treble costs against the person offending and forfeiting as aforesaid, any law, statute, custom, or usage to the contrary in anywise notwithstanding.

"And for the better avoiding and preventing of all excessive and immoderate playing and gaming for the time to come, be it further," &c., "enacted, that if any person," &c., "shall, after the date aforesaid, play at any of the said games," &c., "or pastime whatsoever (other than with or for ready money), or shall bet on the side or hands of such as do play thereat, and shall lose any sum or sums, or thing or things," &c., "so played for, exceeding the sum of one hundred pounds, at any one time or meeting, upon tick or credit, or otherwise, and shall not pay down the same at the time when he or they shall lose the same, the party or parties who lose the said monies or things above the sum of one hundred pounds, shall not in that case be bound," &c., "to pay the same, but the contract or contracts for the same, or every part thereof, and all and singular judgments, statutes, recognizances, mortgages, conveyances, assurances, bonds, bills, specialities, promises, covenants, agreements, and other acts, deeds, and securities what-

soever, which shall be obtained," &c., "or entered into for security or satisfaction of or for the same, or any part thereof, shall be utterly void and of none effect; and that the said person or persons so winning the said monies or other things shall forfeit and lose treble the value of all such sum or sums of money, or thing or things which he shall so win," &c., "above the sum of one hundred pounds, the one moiety thereof to our said Sovereign," &c., "and the other moiety thereof to such person or persons as shall prosecute or sue for the same within one year next after the time of such offence committed, and to be sued for by action of debt, bill, plaint, or information in any of his Majesty's Courts of Record in Westminster, wherein no essoign," &c., "or wager of law shall be allowed; and that every such plaintiff," &c., "informer," &c., "shall, in every such suit and prosecution, have and receive his treble costs against the person or persons offending and forfeiting as aforesaid, any law, custom, or usage to the contrary notwithstanding."

We have nothing more to add here relative to Charles II. and his reign, but, by and by, we shall refer to his Majesty again in connexion with Newmarket.

CHAPTER VI.

Queen Anne: kept and ran Race-horses in her own name.—Royal plates: several given in this reign; question relating thereto.—Statute: 9 Anne.—George I.: Royal plates changed into specie.—George II. Statutes: 13 and 18 Geo. II., caps. 19, 34.—Horse-tax.—George IV.: much given to the pastime when Prince of Wales; his unfortunate Turf speculations; the affair of his horse *Escape;* the Jockey Club and the Prince.—William IV.: maintains a royal stud for breeding purposes; his death, and purposed disposal of the stud; remonstrance of Jockey Club in the matter; sale of the stud. Schedule: 5 and 6 William IV., cap. 41.—Queen Victoria: her Majesty a patron of the pastime.—Advantages resulting from encouragement of the pastime, and frequent association of classes.—Statutes: 3 and 4 Vict., cap. 5; 7 and 8 Vict., caps. 3, 58; 8 and 9 Vict., cap. 119; 16 and 17 Vict., cap. 119.

THERE is nothing interesting to the sporting world either in the brief reign of James II., or in that of William and Mary, but coming to the next in succession, Queen Anne, we find that her Majesty not only kept race-horses, but entered and ran them in her own name. For instance, it is on record that at York in 1712, her Majesty's gray gelding Pepper, ran for the Royal Cup of £100; and in the following year, another of her Majesty's horses, named Mustard, which is described as a nutmeg gray horse, ran for the Royal Cup again. On the 30th July, 1714, a sweepstakes of 10 guineas each, to which was added a Plate of £40, was run for on the same course, and won by a horse belonging to her Majesty called Star; and this was the last race in which any of Queen Anne's horses ran, as her Majesty died the day following. To this sovereign

the Turf was indebted for several Royal Plates, which were given to be annually run for at different meetings.

It seems to be a matter of doubt whether all the so-called Royal Plates that have been given and run for from time to time, were, or were not, in all cases, gifts from the Royal Purse. In an old tract entitled "Anecdotes relating to Horse Racing," it appears that in this reign—with the apparent object of encouraging a class of horses which had only sufficient speed to run second, third, or fourth, to others, but yet good horses, and able to carry weight—"a public-spirited gentleman observing this inconvenience, left thirteen hundred guineas out of his estate for thirteen plates, or purses, to be run for at such places as the Crown should appoint, whence they are called King's or Queen's Plates, or Guineas. The condition is that each horse shall carry twelve stone weight, the best of three heats, over a four mile course; by this method, a stronger and a more useful race was soon raised; and if a horse did not win the Guineas, he was yet strong enough to make a good hunter. By these crossings, as jockeys term it, we have horses of full three-quarters blood, or half bred, suitable to carry any burden; whence the English horses are allowed to be the best, and are greatly esteemed by foreigners."

However, in reference to this bounty of thirteen hundred guineas, a writer in "Sporting Annals"* remarks that there is no authority cited in support of the statement, and that the registers at the Jewel Office, as well as those of the Lord Chamberlain and

* Volume ix., p. 331.

Master of the Horse, show the contrary, and prove that the plates emanated solely from the bounty of the sovereign. But upon this point Mr. Charles Weatherby's evidence before the Committee of the House of Commons will throw some light, and we accordingly append it:—

Question.—Has racing increased of late years?

Answer.—Very much.

Question.—Have larger sums of money been given by the public, not race-horse owners, during the last year,* than in former years?

Answer.—There have.

Question.—Can you state the amount of the sums that have been subscribed by persons not race-horse owners?

Answer.—As nearly as I can estimate it, it is at least £34,000, subscribed by the public and by gentlemen who do not keep race-horses, to give plates, and to add money to stakes. This includes the amount contributed by gentlemen having no race-horses, who subscribe to stakes to support the amusement.

Question.—Do you include the Queen's Plates?

Answer.—No.

Question.—What is the amount annually given as Queen's Plates? How many of these plates are paid out of her Majesty's Privy Purse?

Answer.—The whole amount, I believe, is 3,600 guineas; thirty-six plates of 100 guineas each, *ten* of which are paid from the Privy Purse.

The following is a synopsis of an Act passed in this reign, and as the Qui Tam actions before referred to were in part based upon this Act in conjunction with

* 1843.

the 16th Charles II., it is also given *in extenso*; although it is a matter for grave consideration whether this Statute was ever intended by its framers to apply to horse-racing at all.

9 Anne, cap. 14.

"An Act for the better preventing excessive and deceitful Gaming."

The preamble states that whereas the laws now in force are not sufficient to prevent the mischiefs arising from gaming, therefore it is enacted that from and after 1st May, 1711, all notes, bills, bonds, &c., given, &c., or entered into, &c., where the whole or any part of the consideration of such securities shall be for any money, &c., won by gaming or playing at cards, dice, tables, tennis, bowls, or other game or games whatsoever, or by betting on the sides or hands of such as do game at any of the games aforesaid, or for the reimbursing, &c., any money, &c., knowingly lent, &c., for such gaming or betting as aforesaid, or that during such play so play or bet, shall be utterly void, &c., any statute, law, &c., to the contrary notwithstanding; and it is then provided that where such mortgages, &c., shall encumber any lands, &c., they shall devolve to such person as should have been entitled to them in case such grantor had been dead, &c.; and that all conveyances to hinder such lands from devolving, &c., shall be void.

2nd Clause.—Enacts that from and after the said date, any person, &c., who shall at any time or sitting, by playing at cards, dice, tables, or other game or games whatsoever, or by betting, &c., on such as do play at any of the games aforesaid, lose to any one or more person, &c., so playing or betting in the whole the sum or value of ten pounds, and shall pay, &c., the same or any part thereof, the person, &c., so losing and paying the same can, within three months next, sue and recover the money or goods so lost, or any part thereof, from the winner, &c., thereof, with costs of suit, by action of debt.

founded on this Act, to be prosecuted in any of her Majesty's Courts of Record, &c.; in which actions it shall be sufficient for the plaintiff to allege that the defendant, &c., is indebted to the plaintiff; and if the loser do not sue, &c., any other person may, and recover with treble value, with costs of suit; one moiety to the person who sues, and the other to the poor of the parish where the offence may be committed.

3rd Clause.—Provides that the person sued shall answer upon oath to discover the money won.

4th Clause.—Provides that the person who shall so discover and repay, shall be indemnified from further punishment.

5th Clause.—Enacts that any person winning by fraud or deceit, &c., above ten pounds at one sitting, and convicted thereof on indictment, &c., shall forfeit five times the value, be deemed infamous, and suffer such corporal punishment as in cases of wilful perjury.

6th Clause.—And whereas divers persons (lewd and dissolute) live at great expenses, having no visible estate, profession or calling to maintain themselves, but support these expenses by gaming only, be it therefore enacted that it shall be lawful for two or more justices to cause persons who it is supposed have no visible estate, &c., to be brought before them, and unless they make it appear that they do not maintain themselves by gaming, shall find sureties for their good behaviour for twelve months, or in default be committed to gaol, and remain there until they can find such securities.

7th Clause.—Provides that in the case of persons who may have found such sureties, if they play or bet at one time or sitting for any sum exceeding twenty shillings, that such playing shall be deemed a breach of their good behaviour, and a forfeiture of their recognisance.

8th Clause.—That for the preventing of quarrels arising from gaming, it provides that in case any person shall commit an assault, &c., on any other person on account of any money won by gaming, &c., such person committing such assault,

or provoking to fight, &c., upon being convicted upon an indictment, &c., shall forfeit, &c., all his goods, chattels, and personal estate whatsoever, and also suffer imprisonment for two years.

9th Clause.—Provides that nothing in this act shall extend to prevent gaming in any of the Queen's palaces during her residence thereat, and so as such playing be for ready money only.

There is not much to be said respecting the first three Hanoverian Sovereigns who next, and successively, sat on the English throne. From George I. it could not be expected that much patronage or support would be accorded horse-racing, as his Majesty was in his fifty-fifth year when he commenced to rule over the British Isles, an age when it is not very probable that a man would first conceive an interest for any such pastime; besides, his Majesty was not only unacquainted with the habits and customs of this nation, but totally ignorant of its language. However, in this reign, the Royal Plates or Cups hitherto run for, were changed into specie, or Royal Purses of one hundred guineas each—an alteration which probably the Turf owes more to judicious advisers than to his Majesty's individual inclination. Neither George II. or III. took much interest in the pastime, and what support they did accord it was for the purpose of improving the breed. Nevertheless, horse-racing was in full vigour at this period, as may be gathered from the fact that the attention of the legislature was drawn towards the subject, and it was considered necessary to pass the 13th George II. cap. 19, which was entitled "An Act to restrain and prevent the excessive Increase of Horse Races; and for amending an Act

made in the last Session of Parliament, intituled 'an Act for the more effectual preventing of excessive and deceitful gaming.'" The object of legislation is apparent from the preamble, which states that horse-racing for "small prizes or sums of money had contributed very much to the encouragement of idleness, to the impoverishment of many of the meaner sort of the subjects of this kingdom, and the breed of strong and useful horses hath been much prejudiced thereby." The Act provided, that from and after the 24th June, 1740, no person should enter or start any horse for a prize or sum of money, except such horse was truly and *bonâ fide* his own property, and that no person should enter or start more than *one* horse for a race; the penalty in both cases being forfeiture of the horse, or its value, which might be recovered by suit. Also, no prize or sum of money was to be run for of a less value than £50, except at Newmarket and Black Hambleton in Yorkshire, under a penalty of £200; and any one publishing, or proclaiming any such prize or sum of money to be run for under £50 value, incurred a penalty of £100. It was also enacted that no horses should run for any prize, &c., unless they carried the following weights:—5-year olds 10st., computing 14lbs. to the stone; 6-year olds 11st.; and 7-year olds 12st.; and any horse carrying less weights than these, such horse, or the value thereof, to be forfeited, and the person entering, running, or starting such horse, shall forfeit and lose the sum of £200. It was also provided, that every sum and sums of money to be paid for entering of any horse, &c., to start or

run for any plate, &c., or other thing, shall go and be paid to the second best horse, &c., which shall start or run for such plate, &c., as aforesaid; that all races run were to be begun and ended in the same day; and that none of the provisions of this statute were to apply to, or alter any gifts or legacies left for annual races.

But this statute remained in force but a short time, for five years afterwards, the subject was reconsidered by the legislature, and the 18th George II. cap. 34, was passed. This was "An Act to explain, amend, and make more effectual the Laws in being to prevent excessive and deceitful gaming, and to restrain and prevent the excessive Increase of Horse-races." All the former part of this Act relates to gaming at cards, &c., and it is only the very last clause which refers to horse-racing, when it recites the 13th George II., and provides, that—

"Whereas, the thirteen Royal Plates, of one hundred guineas each, annually run for, as also the high prices that are constantly given for horses of strength and size, are sufficient to encourage breeders to raise their cattle to the utmost size and strength possible; be it therefore enacted by the authority aforesaid, that it shall and may be lawful for any person or persons, from and after the 24th June, 1745, to run any match, or to start and run for any plate, prize, sum of money, or other thing, of the real and intrinsic value of £50 or upwards, at any weights whatsoever, and at any place or places whatsoever, without incurring or being liable to the penalty or penalties in the said Act of the 13th year of his Majesty's reign, relating to weights as aforementioned, and in the same manner as might have been done if the said

Act had never been made, anything herein contained to the contrary notwithstanding."

In the twenty-fourth year of George III.'s reign, the Horse Tax was passed, which laid on a duty of two guineas upon every horse entered, or starting for any plate, &c., in addition to a former duty of ten shillings upon coach and other horses.

Having reached this point in our history, it will have been seen that the pastime had made such progress, that it was in a vigorous and flourishing condition at this period, and had almost reached its pinnacle in practice and popularity. Even before the third George had closed his long and unprecedented reign, we find his eldest son and successor to the throne, largely figuring upon the turf, and undoubtedly the then Prince of Wales accorded to horse-racing its full share of his patronage and support. The Prince first became an owner of race-horses in 1784, and entering with ardour into turf pursuits, soon had a magnificent racing establishment, and subsequently bred some first-rate horses. In Turf matters the Prince was considered to possess good judgment, and yet, despite this—considering also that in the possession of a good racing stud he had the essential material for success; and notwithstanding the advantages which it is not unreasonably supposed, would to a certain extent, result to a person in his high position, the "First Gentleman of Europe"—as his admirers and flatterers were pleased to designate him—seems to have been particularly unfortunate in his Turf transactions. Two years after our royal sportsman began his Turf career, viz., in 1786,

he was compelled, on account of embarrassed circumstances, to dispose of his stud of racers ; but another like lapse of time, and we find his debts paid, his income generously increased by Parliament, and the Prince once more upon the Turf.

Perhaps it had been better had the Prince declined a second time entering upon horse-racing pursuits, considering the results which had attended his first exploits. We have seen that his transactions generally upon the Turf were unfortunate, but one in particular, which occurred subsequently, had a harsher name applied to it by many at the time, although we do not think it was justly merited. In the case of the Prince and his race-horse Escape to which we allude, it is difficult to say whether the Prince or any one else was really to blame in the matter, or whether the unaccountable running of the horse was not attributable to that uncertainty which is not singular or unfrequent in the high-bred racer.* The circumstances of the case were simply as follows. It appears that in the October Meeting at Newmarket, 1791, Escape was entered, and ran for a race both on the 20th and 21st. In explanation, and exculpation of himself and the Prince of this, at the time, notorious affair, the jockey, old Sam. Chifney, wrote and published his "Genius Genuine,"† from which it appears,

* "I believe," says Mr. R. Tattersall in his Evidence as given before a Committee of the House of Commons on Gaming in 1844, "that horses are fit to run to-day and not to-morrow, just as a man is often fit to do any particular exertion to-day and not the next. I think many horses have lost their character merely from being ill; take your own horses or hunters, they are not always fit for any great exertion; no man can go through violent exertion with a head-ache."

† A pamphlet of about 40 pages, price Five Pounds !

that in the race of the 20th the Prince had no bets upon the result, and it was perhaps fortunate that the Prince did not bet, or at least *back* his horse, as Escape lost the race. This race was for sixty guineas, Ditch In, and for which four started; the betting was 2 to 1 against Escape, 4 to 1 against Coriander, and 5 to 1 against Skylark, and they came in thus:

Mr. Dawson's Coriander 1
Lord Grosvenor's Skylark 2
Lord Clement's Pipator 3
H.R.H. the Prince of Wales's Escape . . 4

Previous to starting for this race, the Prince told Chifney to make strong running with Escape. Chifney thought doing so would be imprudent, but was unable to acquaint the Prince with his ideas, as the latter left him immediately after giving his orders; but directly after he conveys the orders he had received, and his own ideas respecting them, to Mr. Lake—a gentleman who had the management of the Prince's stud, and whose orders, in running, &c., the Prince had told Chifney, when he engaged him as jockey, he was to obey—and this gentleman, acquiescing in Chifney's opinion, reversed the Prince's orders, and told him *not* to make play, and, in doing so, also told Chifney that he (Mr. Lake) would hold him harmless with the Prince in disobeying his first instructions. Although Escape lost the race on the 20th, the Prince informed Chifney he should run him for the race on the 21st, and the latter advised the Prince to back him, as the race Escape had just run would greatly improve him, and

the horse would run both longer and faster. It does not appear that the Prince was angered at Chifney disobeying the orders he had given him; and again, on the 21st, he told Chifney to make play with Escape, but, in this instance, not to do so if strong running was made by any of the rest of the field. For this race—second year of a subscription of five guineas each, Beacon course, twelve subscribers and six starters—the betting was 4 and 5 to 1 against Escape, 7 to 4 against Chanticleer, 11 to 5 against Skylark, and 6 to 1 against Grey Diomed. In the running, Skylark made play, and Chifney, waiting with Escape, won the race. They came in as follows:—

H.R.H. the Prince of Wales's Escape .	1
Lord Barrymore's Chanticleer	2
Lord Grosvenor's Skylark	3
Duke of Bedford's Grey Diomed	4
Lord Clermont's Harpator	5
Mr. Barton's Alderman	6

Here was a direct reversal of the former day's running; one which the members of the Turf could not understand, and which, on the face of it, looked suspicious, and rendered many of them—the losers in particular we presume—indignant. The Jockey Club took the matter up; and, finally, its members—one of which was Sir Charles Bunbury, who, it is said, was the chief and severest of the Prince's accusers—must have decided upon a verdict of guilty, as Sir Charles Bunbury informed the Prince that if he suffered Chifney to ride his horses for the future, no gentleman would start against him. This resolve was simply an acquittal of

the Prince upon conditions: the sacrifice of his jockey; but, to the honour of the Prince be it said, he was too generous to accept such terms at the sole expense of poor Chifney, but preferred again retiring from the Turf in 1792.

Now, if Chifney's explanation, of which the above is an outline, and the other statements contained in his "Genius Genuine," which includes an affidavit of Chifney's to the effect that he had no bets upon the race of the 20th, and only one of twenty guineas upon Escape in the race of the 21st; and that he did nothing to prevent Escape winning the first race, but, on the contrary, did everything which his judgment suggested in order to win the race, are truthful—and we see no reason to doubt them—it certainly appears as if both the Prince and his jockey were blameless in the matter, and that if the running of Escape on the 20th was owing to the horse being unfit in his preparation, and which Chifney says was the case, then the fault rested with other parties connected with the stable. The imperfect condition of the horse on the 20th, says Chifney, was partly rectified by that race and consequent sweating from it, and that accounted for the different running on the two days. At so long a date after the occurrence of the transaction, it is somewhat difficult to get at all the facts of the case, but, from the evidence collected, there is that wanting to *justify* a verdict against the Prince, viz., proof of orders having been given to lose the race of the 20th, or that any money was won by the Prince on the occasion.

Of course after this, the Prince ceased his former connexion with Newmarket, but he nevertheless continued to largely patronise and support country races. No doubt the Prince considered he had not been rightly dealt with by the Jockey Club in regard to the Escape affair—in fact, the condition with which the proposal was clogged, would prevent any high-minded and honourable man from accepting the offer as an acquittal—and possibly, upon reflection, they thought so too, for in 1805, at a meeting of the club held at Brighton, they solicited his return to the Turf in the following letter :—

"*To His Royal Highness the Prince of Wales.*

"May it please your Royal Highness—The members of the Jockey Club deeply regretting your absence from Newmarket, earnestly entreat the affair may be buried in oblivion, and sincerely hope that the different meetings may again be honoured by your Royal Highnes's condescending attendance."

We believe the Prince did consent, upon the receipt of this letter, to forget the past ; but his horses were never sent to Newmarket to run after 1808, and then only to complete engagements.

As we have said, the Prince had some good horses in his stud, and in 1788 he succeeded in winning the Derby with Sir Thomas. That he was anything but successful in horse-racing pursuits has also been remarked ; but it may be added that, without doubt, he was much given to the pastime, and that in this

respect, his regard was sincere and lasting, which is more than can be said for his attachment or friendship to his fellow creatures in general; and although what follows may not redound to his credit, or that of any man under the awful and solemn circumstances of the moment, yet as faithful chroniclers we record it here: "The last time," says Nimrod,* "that George IV. was at Ascot, was in 1829, but he lived to hear of the next year's meeting. He was on the bed of death; and so strong was the 'ruling passion' in this awful hour—and his Majesty was well aware his hour was come—that an express was sent to him *after every race*."

The death of George IV. placed upon the throne one who was his very opposite in every respect—character, habits and disposition. Brought up to the sea, no one could expect that William IV. would have any particular predilection for horse-racing. His Majesty did, however, so far interest himself in the sport as to take up his brother's stud, and run out his engagements; and relative to this an amusing anecdote is told which shows his Majesty's simplicity in sporting matters, and every thing connected therewith. It appears that just previous to the first appearance of the royal stud in his Majesty's name, the trainer sought an audience, and requested to know what horses it was the Royal pleasure to have sent down. "Send down the whole *squad*," said the King, "some of them I suppose, will win!"† Both the idea and the reply emanating from it was eminently characteristic of the sailor King, but

* "The Chase, Turf, and Road," p. 73.
† "Quarterly Review," vol. xlix., p. 387.

how the trainer must have stared at being thus ordered to let off and run an entire stud for a race, broadside fashion!

But although William IV. had none of those hearty sporting inclinations possessed by some of his Royal predecessors, which led them not only to foster the sport, but also to enjoy its pleasures, yet it is evident that his Majesty was fully sensible of the importance of the race-horse, and consequently favourable to the pastime itself,.as the means of keeping up the English breed of horses to their proper point of excellence, for he resolved upon maintaining a stud of about twenty-five brood mares for the purpose of breeding from the best sires, and selling the produce annually as yearlings; and this praiseworthy object he carried out to the last, the produce being yearly sold at Tattersall's. It is to be regretted, however, that shortly after the death of the King, the entire stud was broken up and disposed of, notwithstanding the remonstrances of some members of the Legislature, and the following memorial from the Jockey Club, signed by twenty-three of its leading members:—

"We, the undersigned, have heard, with great concern, of the probability of a dissolution of the Royal stud at Hampton Court. We think that the great and permanent attraction of the annual stud sale, by producing competition, enhances the value of thorough-bred horses, and thus promotes the improvement of the breed throughout the kingdom. We trust, therefore, that her Majesty's Government may be induced to advise the Queen to retain the establishment; and we have the less scruple in expressing this hope, because we are persuaded that, under judicious management, the proceeds of

the sale would be found, upon an average, to cover all the expenses of maintaining the stud."

All remonstrance, however, was unfortunately unavailing in preserving the stud, and the whole were sold by Messrs. Tattersall at Hampton Court, on the 25th October, 1837, the sale realising a total of 15,692 guineas.

During the reign of William IV. a Statute (5 and 6 Will. IV. cap. 41) was passed, entitled "An Act to amend the law relating to securities given for considerations arising out of gaming, usurious, and certain other illegal transactions." This Act recites those of 16 Car. II., 10 Will. III., 9 and 11 of Anne, and other Statutes, by which all securities given for any money, or other thing lost at play or otherwise, as mentioned in said Acts, should be void and of none effect; now by this Act (5 and 6 Will. IV.) it is enacted that so much of the said recited Acts as enacts that such securities shall be absolutely void, shall be repealed; but that every such securities shall now be deemed, not to be void, but to have been given for an illegal consideration; and that the same several Acts shall have the same force and effect which they would have had respectively, if instead of enacting that such securities should be absolutely void, such Acts had respectively provided that such securities had been given, &c., for an illegal consideration, &c.; and that if any person shall after passing of this Act give, &c., any security, &c., and such person shall actually pay to any holder, &c., of any such security, the amount of the money thereby secured, or any part

thereof, money so paid shall be deemed to have been paid for and on account of the person to whom such security was originally given upon such illegal consideration as aforesaid, and shall be deemed a debt due and owing from such last named person to the person who shall so have paid such money, and shall accordingly be recoverable by action at law in any of his Majesty's Courts of Record, &c.

We have thus brought the history of horse-racing in its special connection with our English Sovereigns down to the present times, and the reign of Queen Victoria. Like many of her Royal predecessors, her Majesty has often favoured the race-course with the sunshine of her presence, particularly Royal Ascot; and we sincerely hope that our well-beloved Sovereign may long be spared to rule over a loyal nation, and occasionally grace, by her countenance and support, some of our race meetings, as the doing so not only reminds her subjects of the link connecting them as a governed body with the governing powers, but also serves to create that unity of sentiment and constitutional ideas in the mass which renders this country so easy of government by the Executive, and produces so ready an acquiescence of the people in the laws made for their observance. In no other nation in the world is there to be found, in so great a degree, that peculiarity in its constitution and form of government which creates such broad divisions in the community, separating the people into classes, and forming, as it were, an impassable gulf of disunion, as there is in England; and yet there is not another country

on the face of the earth where there is less division or distinction actually felt. The explanation of this apparent anomaly is simple. However wide the gulf may be between the people on account of this social classification, that gulf is bridged over in a great measure by the governing and higher classes descending occasionally from the position in which, either by birth or fortune, they may have been placed over their fellow creatures, and mixing themselves with the rest of the people, and acknowledging a common brotherhood, thus showing that the privilege of high position does not consist in looking upon those below them in the social scale as either a degraded class, or one less worthy in the ordinary matters of every-day life, of being associated with in common, and connected with the rest of the great human family. It is certain that there is nothing like this common and frequent association of all classes, high and low, rich and poor, that tends more to firmly cement the union of all in one great and loving chain of harmonious ideas and principles. The practice teaches the high born to love and cherish the poor, and the lowly to appreciate and respect the high; it furnishes a frequent proof to the people of that dignity and talent which is always at hand to supply wisdom and experience when needed, and upon which they are glad at times to rely; and it shows the Crown and Executive the vast sympathy and support which it in turn may expect from the people, should ever a revolutionary attempt be made to change the line of succession, or subvert the Constitution or its laws. Thus, we argue that in a political

sense, the constant association of one class with the other is a matter of wisdom, and productive of great good; and we likewise argue in favour of a race gathering, because essentially the pastime is a harmless one; it affords a wide field for the fraternal association advocated; and is consequently the greatest leveller of all class or social distinctions.

But in addition to the great good effected by the frequent and general association of classes, the presence of the highest personage in the realm is often a moral preventive of, and safeguard against, dishonourable and underhand practices, not less so in matters connected with the Turf than in others. Fraud and villany selects darkness and evil and unscrupulous companions for the perpetration of its acts, but naturally shrinks from sunshine as reflected by royalty, honour, and integrity. The Prince of Wales has just entered into manhood, and his accession to the Turf would be hailed with universal acclamation by all honourable minded sportsmen. The high position and dignity, manly nature, and upright character of the son, inherited from, and inculcated by his royal mother, would be as great a boon conferred upon the honourable portion of the racing community, as it would prove a serious blow to the dishonourable section and black sheep with which the Turf is now impregnated. Besides, apart from a sporting question, the general public like to see those above them in position take a leading interest in their social gatherings and amusements, helping and lending a hand by the aid of the purse in providing the sport, and sharing in the indul-

gence of it afterwards. Only imagine the Prince of Wales being a subscriber to the Derby! What a favourite the equine representative of England's future Monarch would become! How the *People* would back *Honour*, out of *Integrity*, as we will fancifully name the imaginary royal quadruped, selected to contend for the Blue Ribbon of the Turf; and how hearty a shout of acclamation would ring out from the throats of the thousands assembled should *Honour*, out of *Integrity*, pass the winning post first! That shout need raise no alarm, even in the minds of the most nervous. It does not signify a political revolution: it is only the exuberance of delight, finding vent from gratified hearts, and a right loyal and loving nation at the success of one whom they truly admire, and to whom they look up with respect for the person and attachment to the throne.

There have been several Statutes passed during the reign of her present Majesty relating to horse-racing, and they are as follows:—

3 and 4 Victoria, cap. 5, s. 1.

This Statute is entitled, "an Act to repeal so much of an act passed in the 13th year of the reign of his Majesty King George II., intituled *an Act to restrain and prevent the excessive increase of horse-races*; and for amending an Act made in the last Session of Parliament, intituled 'an Act for the more effectual preventing of excessive and deceitful gaming,' as relates to the subject of horse-racing."

The following is the substance of the clauses:

Clause 1.—Recites that an Act was passed in 13 Geo. II., &c.—"and whereas doubts have arisen as to the meaning

of certain clauses in the said Act relating to the subject of horse-racing: and whereas several persons, not intending to offend against the provisions of the said Act, have been subjected to vexatious proceedings at law, and it is expedient to repeal so much of the said Act as relates to the subject of horse-racing: Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that so much of the said Act made and passed in the 13th year of the reign of his said late Majesty King George II., as relates to the subject of horse-racing be and the same is hereby repealed."

Clause 2.—Provides that persons sued for penalties under the said recited Act of 13 Geo. II., may apply to the Court, &c., from which any suit has issued for an order to discontinue it; and thereupon the Court may make such order upon payment of the costs thereof out of pocket; and that in cases where any actions shall have been commenced since March 1, 1840, it shall be lawful for a Court or judge to make an order for discontinuing the same without payment of any costs: Provided always, that nothing herein contained shall be deemed to enable any person to recover back any money paid before the passing of this Act, in pursuance of any judgment duly obtained under the provisions of the said last recited Act.

The next Statutes passed were the 7 and 8 Vic., caps. 3 and 58, and the former was "an Act to stay proceedings for three calender months, and till the end of the present Session of Parliament, in certain actions under the provisions of several Statutes for the prevention of excessive gaming, and to prevent any proceedings being taken under those Statutes during such limited time."

This Act then recites the 9 Anne, cap. 14, also 11 Anne (which relates to similar provisions as regards Ireland), the 16 Car. II., cap. 7, as also 10 Will. III. (which contains similar provisions to those of 16 Chas. II. relative to Ireland), and then proceeds, that whereas several persons have been subject to proceedings at law at suit of informers, &c., other than the actual losers: and whereas it is expedient that such suits as are already commenced by such informers other than the actual losers under the provisions of the said above recited Acts, or any of them, or for the recovery of any forfeiture or pecuniary penalty incurred or supposed to have been incurred by playing at any of the games or pastimes mentioned in the schedule hereunto annexed, &c., shall be stayed and suspended for a limited time, during which time no proceedings should for the future be commenced in such cases by any common informer, or any person other than the actual loser: Be it therefore enacted, &c., that immediately after the passing of this Act, it shall be lawful that any proceedings commenced by common informers, or persons other than the actual losers, for penalties incurred by playing at or betting on certain games (as per schedule), shall be stayed on application to the Court in which they were commenced, or to any judge of either of the superior Courts at Westminster, for three calendar months, and till the end of the present Session of Parliament, &c.

2nd Clause.—Gives a like remedy in cases where penalties may have been incurred under the Irish Acts.

3rd Clause.—Restricts any proceedings, after the passing of this Act, by any common informer, or person other than the actual loser, his executors, &c., under provisions of any or either of the said recited Acts.

4th Clause.—And that no future actions shall be brought without the consent of the Attorney General.

5th Clause.—Limits the operations of this said Act to the last day of the present Session of Parliament.

Schedule of Games and Pastimes as alluded to in above Act.

"Horse-races, Foot-races, Boat-races, Regattas, Rowing-matches, Sailing-matches, Coursing-matches, Fencing-matches, Gölf, Wrestling-matches, Cricket, Tennis, Fives, Racquets, Bowls, Quoits, Curling, Putting-stone, Foot-ball."

The succeeding Statute on this subject (7 and 8 Vict., cap. 58) was to *renew* or prolong the time for the suspension of proceedings in the Qui Tam actions until the end of another, and then, next, Session of Parliament. Before, however, the said next Session of Parliament had expired, the following Act became law.

The Statute we allude to was the 8 and 9 Vict., cap. 109, and as it embodies the present law on the subject, we give all the clauses of it, epitomised, so as to show its full meaning and application.

"An Act to amend the Law concerning Games and Wagers."

This Act then premises, that whereas the laws heretofore made in restraint of unlawful gaming have been found of no avail to prevent the mischiefs which may happen therefrom, and also apply to sundry games of skill from which the like mischiefs cannot arise: Be it enacted, therefore, &c., that so much of the 33rd Hen. VIII., cap. 9, whereby any game of mere skill, such as bowling, coyling, cloyshcalls, half bowl, tennis, or the like, is declared an unlawful game, or which enacts a penalty for playing at any such game of skill as aforesaid, &c., shall be repealed. The Act then repeals all that part of the said Act which relates to carding, dicing, &c.

Section 2.—Provides as to what shall be deemed sufficient evidence that a house is a common gaming house: in default

of other evidence as proof, it is to be sufficient to prove that such house, &c., is kept or used for playing therein at any unlawful game, and that a bank is kept there, &c., or that the chances of the game played therein are not alike favourable to all the players, &c.

Section 3.—Provides as to entering what may be deemed or taken to be gaming houses, and gives power to use force if necessary, and to arrest all persons found therein, to be dealt with according to law.

Section 4.—Provides as to the infliction of penalties or imprisonment upon gaming house keepers, &c.

Section 5.—Enacts that it is not necessary in support of any information for gaming, to prove that any person found playing at any game was playing for any money, wager, or stake.

Section 6.—Gives power to Commissioners of Police to authorise constables to enter gaming houses, by force if necessary, and seize all instruments of gaming, and take into custody all persons found therein.

Section 7.—The police superintendent may search for, and seize, all instruments of gaming.

Section 8.—Provides as to what gaming instruments found therein shall be deemed evidence of gaming where no play was actually going on in presence of the officers.

Section 9.—Provides as to the indemnity of witnesses: their giving true evidence to release them from criminal proceedings to which they might otherwise be liable.

Sections 10, 11, 12, 13, and 14.—Relate to the granting of billiard licenses; offences against the same, &c.

Section 15.—And be it enacted, that an Act passed in the 16th Charles II., and an Act passed by the Parliament of Ireland in the 10th of Will. III., each of such Acts being intituled an Act against deceitful, disorderly, and excessive gaming, and so much of an Act passed in the 9th of Anne, and of an Act passed by the Parliament of Ireland in the

11th Anne, each of such Acts being intituled, an Act for the better preventing of excessive and deceitful gaming, as was not altered by an Act passed the 5 and 6 Will. IV., cap. 41, entitled an Act to amend the law relating to securities given for considerations, &c.,* and so much of an Act passed in the 18th George II., cap. 34,† entitled an Act to explain, amend, &c., as relates to the first recited Act of Queen Anne, or as renders any person liable to be indicted and punished for winning or losing, at play or by betting, at any one time, the sum or value of £10, or within the space of twenty-four hours the sum or value of £20, shall be repealed, except as to any penalties incurred on or before the 5th March, 1844, for recovering which any suit shall have been commenced before the said 5th March, and the proceedings for recovery and application of the same.

Section 16.—Provides that after the passing of this Act, it shall be lawful for any persons against whom any action, &c., shall have been commenced, &c., for the recovery of any penalty, &c., incurred on or before the day of the passing of this Act, under provisions of any Act herein before amended or repealed, to apply to the Court in which such action, &c., shall have been commenced, or to any judge of the Superior Courts at Westminster, for an order that such actions, &c., shall be discontinued, upon payment of costs incurred on or before the 5th March, 1844; and upon such application, and the payment of such costs, such actions, &c., shall be discontinued.

Section 17.—Provides that any person who, by fraud or unlawful device, &c., in playing at or with cards, dice, tables, or other game, or in bearing a part in the stakes, wagers, or adventures, or in betting on the sides or hands of them that do play, or in wagering on the event of any game, sport, pastime or exercise, win from any other person to himself, or

* See page 83.

† See page 74.

any other or others, any sum of money or valuable thing, to be deemed guilty of obtaining such money, &c., by a false pretence, with intent to cheat or defraud such person of the same, and being convicted thereof, shall be punished accordingly.

Section 18.—Enacts that all contracts or agreements, whether by parole or in writing, by way of gaming or wagering, shall be null and void; and that no suit shall be brought, &c., in any court of law or equity for recovering any sum of money, &c., alleged to be won upon any wager, or which shall have been deposited in the hands of any person to abide the event on which any wager shall have been made: Provided always, that this enactment shall not be deemed to apply to any subscription or contribution, or agreement to subscribe or contribute, for or towards any plate, prize, or sum of money to be awarded to the winner or winners of any lawful game, sport, pastime, or exercise.

Section 19.—Provides as to proceedings under feigned issues which are to be abolished: "Whereas many important questions are now tried in the form of feigned issues, by stating that a wager was laid between two parties interested in respectively maintaining the affirmative and the negative of certain propositions; but such questions may be as satisfactorily tried without such form; be it enacted therefore," &c.

Section 20.—Provides that persons summarily convicted under this Act, may appeal to the Quarter Sessions under recognizance and securities, &c.

Section 21.—Provides that where any distress shall be made for any money to be levied by virtue of any justice's warrant under this Act, such distress shall not be deemed unlawful for want of form, &c.

Section 22.—Provides that no plaintiff shall recover in any action for irregularity, trespass, or other wrongful proceeding made or committed in the execution of this Act, or in or by virtue, &c., if tender of sufficient amends shall have been

made by or on behalf of the party committing such irregularity, &c., before such action brought; and where no tender shall have been made, the defendant in any such action, by leave of the Court, may at any time before issue joined, pay into Court such sum of money as he shall think fit; whereupon such proceeding, &c., shall be had and made in and by such Court as in other actions where defendants are allowed to pay money into Court.

Section 23.—That no action, &c., shall be brought against any person for anything done or omitted to be done in pursuance of this Act, &c., unless notice in writing be given by the party intending to prosecute such action, &c., to the intended defendant one calendar month at least before prosecuting the same, nor unless such action, &c., shall be brought or commenced within three calendar months next after the act or omission complained of, or if there is a continuation of damage, then within three calendar months next after the doing such damage shall have ceased.

Sections 24, 25 and 26 relate to the construction of terms, as the "Metropolitan Police," &c., in Ireland. That no conviction, &c., shall be quashed or set aside, &c., for want of form, or be removed by certiorari into her Majesty's Court of Queen's Bench; and that this Act may be repealed or amended by any Act to be passed in this Session of Parliament.

The next and last statute relative to our subject made in this reign, and passed 20th August, 1853, was "an Act for the Suppression of Betting Houses." From the preamble it appears that "a kind of gaming has of late sprung up, tending to the injury and demoralization of improvident persons by the opening of places called betting houses or offices, and the receiving of money in advance by the owners or occupiers of such

houses or offices, or by other persons acting on their behalf, on their promises to pay money on events of horse races and the like contingencies: For the suppression thereof be it enacted," &c.:—

1.—That no house, &c., "shall be opened, kept, or used for the purpose" of any owner, occupier or manager thereof "betting with persons resorting thereto;" or for the purpose of receiving "any money or valuable thing," &c., "as or for the consideration for any assurance, undertaking, promise, or agreement, express or implied, to pay or give thereafter any money or valuable thing on any event or contingency of or relating to any horse-race, or other race, fight, game, sport or exercise, or as or for the consideration for securing the paying or giving by some other person of any money or valuable thing on any such event or contingency as aforesaid:" and all houses, &c., kept or used for such purposes, are "hereby declared" nuisances and contrary to law.

2.—That all such betting houses shall be considered "gaming" houses, and within meaning of the 8 and 9 Vict., cap. 109.

3.—That all persons, whether owner or occupier, making use of such houses, offices, &c., "for the purposes hereinbefore mentioned," or any such owner or occupier "knowingly," &c., allowing the same to be opened "by any other person" for such purposes, or any person "having the care or management of or in any manner assisting in conducting the business of any house," &c., for such purposes, "shall, on summary conviction thereof before any two justices of the peace, be liable to forfeit and pay" a penalty "not exceeding one hundred pounds," as also costs; "and on the non-payment of such penalty and costs, or in the first instance, if to the said justices it shall seem fit, may be committed to the common gaol or house of correction, with or without hard labour, for any time not exceeding six calendar months."

4.—This is a similar clause to the last, only specially relates to any of those persons, either owners, occupiers, managers, &c., "who shall receive, directly or indirectly, any money or valuable thing as a deposit on any bet on condition of paying any sum of money," &c., "on the happening of any event or contingency of or relating to a horse-race, or any other race, fight," &c., "or as for the consideration of any assurance, undertaking," &c., to pay thereafter any money, &c., "on any such event or contingency, and any person giving any acknowledgement, note, security or draft on the receipt of any money," &c., "so paid or given as aforesaid, purporting or intended to entitle the bearer or any other person to receive any money," &c., "on the happening of any such event on contingency as aforesaid," shall, in words specified as in the former clause, be liable to a "penalty not exceeding fifty pounds," as also costs ; and in event of non-payment, or at option of the justices, be imprisoned for any time not exceeding three months.

5.—And any money, &c., so received by any such person as a deposit on a bet, &c., "shall be deemed to have been received to or for the use of the person from whom the same was received," and same may be accordingly recovered, with full costs, "in any Court of competent jurisdiction."

6.—But nothing in this Act "shall extend to any person receiving or holding any money or valuable thing by way of stakes or deposit to be paid to the winner of any race, or lawful sport, game, or exercise, or to the owner of any horse engaged in any race."

7.—"Any person exhibiting or publishing," &c., "any placard, handbill, card, writing, sign, or advertisement" stating that any house, &c., is open or used for the purposes of betting, or exhibiting lists for betting, or to induce persons to resort to such house, &c., for the purpose of making bets, &c., or any person inviting "other persons to resort thereto for the purpose of making bets or wagers," shall, &c., upon con-

viction, "pay a sum not exceeding thirty pounds," and costs; and on non-payment, or at the option of the justices, may be imprisoned for any time not exceeding two months.

8.—Any person convicted under this Act failing to pay any penalties or costs adjudged against them, "the same may be levied by distress and sale of the goods of the offender, by warrant," &c.; but should such person be committed to prison for default of payment of penalty and costs, then the costs alone to be levied by distress.

9.—Provides as to application of penalties: one half of every pecuniary penalty to be paid to the informer, and the remaining half shall be applied in aid of poor rate of the parish in which the offence be committed; or if such place be extra-parochial, the said remaining half to be applied in aid of the poor rate of such extra-parochial place, or if no poor rate therein, then in aid of the poor rate of any adjoining parish or district.

10.—Provides that where any person may have laid an information in respect of any offence against this act and does not appear to prosecute, the justices may "authorise any other person to proceed on such summons instead of the person to whom the same may have been granted," or, if the justices think fit, the summons already granted may be dismissed, and any person authorized to take out a fresh one.

11.—Gives power, in the case of suspected houses being used for betting purposes, upon complaint upon oath, for any justice to give authority by special warrant to any constable, &c., to enter such house, &c., "with such assistance as may be found necessary," and where necessary, to use force in making such entry, "by breaking open doors or otherwise," and arresting, searching, and bringing before a justice, all persons found therein, and to seize all lists, cards, or other documents relating to racing or betting found in such premises. Such warrant to be in accordance with the form given in the schedule annexed to the 8 and 9 Vic., cap. 109.

12.—Police superintendents reporting by writing suspected houses to the Commissioners of Police, the said Commissioners are empowered by order in writing to authorize such superintendent to enter such houses, &c., with such constables as the Commissioners may direct to accompany him, and if necessary, force may be used in effecting such entry, "whether by breaking open doors or otherwise," and all persons found therein to be taken into custody, and all lists, &c., to be seized.

13.—Any person convicted under this Act may appeal to the next General or Quarter Sessions of the Peace, &c., providing he gives notice at the time of conviction of his intention to appeal, and shall at said time, or within forty eight hours afterwards, enter into recognizance with two securities to appear at such session to try such appeal, to abide judgment of the Court at such session, and pay such costs as shall be awarded thereat. Power is also given justices, &c., to bind over parties who may have laid information, and any witnesses examined, in recognizances to attend and be examined at the hearing of such appeal; such witnesses to be allowed compensation for time, trouble, and expenses, &c.

14.—That on such appeal "no objection shall be allowed to the information whereon the conviction has taken place, or to such conviction, on any matter of form or on any insufficiency of statement," provided it shall appear, &c., "that the defendant has been sufficiently informed of the charge" to be made against him, &c.; and no information, &c., "shall be removed by certiorari into the Court of Queen's Bench."

15.—Any distress made for any money, &c., "to be levied by virtue of the warrant of any justice under this Act," such distress shall not be deemed unlawful on account of any want of form in the information, summons, &c.; but persons aggrieved by such defect or irregularity, may recover "satisfaction for the special damage by an action on the case in any of her Majesty's courts of Record."

16.—But no person shall recover in any action for any

irregularity, &c., if tender of sufficient amends be made by or on behalf of such party committing the irregularity, &c., "before such action brought," and where no tender shall have been made, the defendant may, by leave of the Court where such action may depend, "at any time before issue joined to pay into Court such sum of money as he shall think fit," upon which "such proceeding, order, and adjudication, shall be had and made in and by such Court as in other actions where defendants are allowed to pay money into Court."

17.—No action or proceeding of any nature whatsoever shall be brought against any person for anything done or omitted to be done in pursuance of this Act, &c., unless notice in writing be given by the party intending to prosecute such suit, &c., to the intended defendant one calendar month at least before prosecuting the same, nor unless such action, &c., shall be commenced "within three calendar months next after the act or omission complained of, or in case there shall be a continuation of damage, then within three calendar months next after the doing such damage shall have ceased."

18.—As to interpretation of terms relative to the "Metropolitan Police Force," Commissioners, and district.

19.—This Act shall come into operation on the 1st day of December, 1853.

20.—"This Act shall not extend to Scotland."

The foregoing is a full abstract of the Act in question, and it is given in this form (and the preceding Acts likewise) as being the more easily understood, both in its general application, or in any separate particular, than if the entire Act had been quoted with its legal and technical phraseology.

PART II.

CHAPTER I.

Chester Races: their early institution.—Description of the Roodee.—Ancient and quaint account of these races.—Of the first St. George's race at Chester, and its inauguration.—Amount of sport provided at Chester in early times.

THE subject matter of this part will be found to be closely connected with the origin and history of the preceding pages, as in showing the earliest dates when horse-races were known to have been first run at the particular localities described, we shall at the same time be furnishing facts and dates relative generally to the origin of the sport itself, and in particular in this part, we shall be able to more clearly define that period of time when race-meetings first became practised with any degree of regularity.

As regards the order in which the following race-meetings are spoken of, the one following is placed first simply because it holds the premier rank in point of antiquity.

First and foremost then, in point of date, we believe the county of Cheshire can claim the honour of prece-

dence and antiquity over every other shire, and that the fine old city and good citizens of *Chester* are justly entitled to credit for having regularly established meetings for horse-races many years previous to that of any other locality. Beyond a doubt, as what follows will prove, the races as held at Chester, and of which the Tradesman's Cup, as ran for at the present day, forms so prominent a prize in the spring of the year, can be traced back as far as the year 1511—just three hundred and fifty two years ago! Before proceeding any further, however, we will give some particulars, interesting we hope, and a description of the ancient city's race-course, the well-known Roodee.

In a celebrated work on English Topography* it is thus described:—"Between the walls of the city, on the west side, and the river, is an extensive meadow, called the Rood-eye, or *Island of the Cross*, which was formerly the Campus Martius of the Chester youth, who here performed the various exercises of archery, running, leaping, and wrestling. They likewise on this spot exhibited gallant and romantic triumphs, and occasionally exerted their activity and strength in mock fights, and other military spectacles, * * * but in the year 1609, the amusements assumed another form, and the mimic war was succeeded by horse-racing, which has continued to be the occasional diversion of the citizens to the present period. The first prizes given * * * appear to have been a bell and a bowl, to be run for on St. George's day. These, in the above year, were provided by the sheriffs of the city, and were

* "Topographical Beauties of England and Wales," vol. ii., p. 233.

brought down to the Rood-eye with much solemnity and pomp." With regard to the word "Rood-eye," its meaning is given by Pennant,* who says the name of the spot is taken from *eye*, its watery situation, and *rood*, the cross which stood there, and the base of which was still to be seen at the time he wrote, viz., 1778.

Now the first mentioned authority fixes the date at which horse-races were first held on the Roodee as 1609, and Pennant confirms this date in page 193 of his book, in which he says, speaking of the same year, "and this seems to have been the origin of the Plate given by the city, and annually run for on the same day to the present time." As we proceed, however, we shall find, that what both these authors settled in their own minds was the *origin* of the races held there, was in point of fact merely a change of name in the race itself, and in the prizes offered.

In Lyson's "Magna Britannia"† is to be found a very quaint and curious account of ancient pastimes, &c., including the races on the Rood-eye, which had long been abolished at Chester. This account, or memorandum, relative to the sports held there in very ancient times, was apparently drawn up by the Rev. Robert Rodgers, who died in 1595, and the manuscript is entitled, "Certayne collections of Anchiante times concerning the Anchant and famous Cittie of Chester, collected by that Reverend man of God, Mr. Robert Rodgers, bachellor of Divinitie, archdeacon of Chester,

* "Tour in Wales," p. 190.
† Vol. ii., p. 584.

parsone of Gooseworth, and prebend in the Cathedral of Chester; being but in scattered notes, and by his Son reduced into these Chapters following."

Such is the heading of the manuscript itself, and the document, after referring to the offering yearly made by the Company of Shoemakers to the Company of Drapers on Shrove Tuesday, then proceeds as follows:—

"Of the laudable exercises yearly used within the Cittie of Chester.

"Alsoe, whereas the Companye and occupation of the Saddlers within the Cittie of Chester did yearely by Custome, time out of memorie of man, the same day, hour, and place, before the Mayor, offer upon a truncheon, staffe, or speare, a certain homage to the drapers of the Cittie of Chester, called the Saddlers' ball, profitable for few uses or purposes, as it was, beinge a ball of silke of the bigness of a bowle,* was torned into a silver bell, weighing about two ounces, as is supposed, of silver: the which saide silver bell was ordayned to be the rewarde for that horse, which with speedy runninge, then should rune before all others, and there presently should be given the day and place. This alteration was made the same time, and by the same Mayor, like as the Shoemakers' foote-ball was before exchanged into sixe silver gleaves."

The time at which the alteration spoken of in this record was made will be found to prove our argument as to date, but upon this point we shall speak more

* Some old writers describe this as being a *wooden* ball, embellished with flowers, and placed upon the point of a lance.

fully hereafter. Meanwhile, the same document, speaking of the alterations as effected in the sports and the prizes given, continues,

"In which exchanges there appeared greate wisdom, anchent and sage senators, who had greate studye and regard to torne the foresaide thinges into soe profitable uses and exercises: so that there is three of the most commendable exercises and practices of war-like feates, as running of men on foote, running of horses, and shootinge of the broade arrowe, the flighte, and the butt-shafte, in the long bowe, are yearely there used; which is done in very few (if in any) citties of England, soe farr as I understand."

The manuscript then specially alludes to that alteration and period of time when the change in the *name* of the race took place, or the origin of St. George's Race, and the nature of the prize, as follows:—

"Of St. George's Race, of late time invented, and when altered.

"In A.D. 1609,* Mr. William Lester, Mercer, beinge Mayor of Chester, one Mr. Robert Amerye, ironmonger, sometime Sherife of Chester,† he, with the assente of the Mayor and cittie, at his own coste chiefly, as I conceive, caused three silver Cupps, of good value to be made, the whiche saide silver Cupps were, upon St. George's day, for ever to be thus disposed: all gentlemen that woulde bringe their horses to

* In an account of the Show on St. George's day, apparently written by Mr. Amery himself, and which appears in "Harl. MSS.," No. 2150, the date is 1610; and, again, in the same account, the prizes as given are stated to have been two Bells and a Cup, and not three Cups as Mr. Rodgers says.

† In 1608.

the Rood-eye that daye, and there rune, that horse which with spede did over-rune the reste, should have the beste Cupp there presently delivered, and that horse which came seconde, nexte the firste, before the reste, had the seconde Cupp there also delivered: and for the thirde Cupp, it was to be rune for at the ringe, by any gentleman that woulde rune for the same, upon the said Rood-dee, and upon St. George's daye; beinge thus decreed, that every horse putt in soe much money as made the value of the Cupps or bells, and had the money, which horses did winne the same, and the use of the Cupps till that day twelve-month, being in bond to deliver in the Cupps that daye; soe also for the Cupp for the ringe, which was yearely continued accordingly untill the yeare of our Lord 1623; John Brereton, innholder, being Mayor of Chester, he altered the same after this manner, and caused the three Cupps to be sould, and caused more money to be gathered and added, soe that the intereste thereof woulde make one faire silver Cupp, of the value of £8, as I suppose, it may be more worth, and the race to be altered, viz., from beyonde the new tower a great distance, and soe to rune five times from that place rownd about the Rood-dee, and he that overcame all the reste the last course, to have the Cupp freely for ever, then and there delivered, which is continued to this daye.* But here I must not omitt the charge, and the solemnitie made, the first St. George's daye; he had a poet, one Mr. Davies, whoe made speeches and poeticale verses, which

* Some authorities say this alteration occurred in the last year of James the First's reign, which would be A.D. 1625.

were delivered at the high-crosse, before the Mayor and Alderman, with shewes of his invention * * * alsoe, he caused a man to goe upon the spire of St. Peter's steeple in Chester, and by the fane, at the same time he sownded a drum, and displayed a baner upon the top of the same spire. And this was the Original of St. George's Race, with the change thereof, as it is now used."

There is very little doubt that the year in which the show spoken of did take place was 1610, as there is an old cŏpy of a book entitled "Amerie's Chester's Triumph in Honor of her Prince, as it was performed upon St. George's Day, 1610," in the British Museum, and which was published in the very same year,* This book gives full particulars of this show, and the speeches spoken by the several characters represented in it, such as "Britaine," "Fame," "Joy," &c., and we make a few extracts which have reference to the horse-racing upon this occasion.

The last character in the procession or show was "Ioye, mounted on horseback, rejoiycing at so great a concourse of people," and so on, "whereupon all departed for a while, to a place upon the Riuer called the Roodes," &c. We are then told that "the Bells dedicated being presented to the Mayor, Proclamation being generally made, to bring in Horses to runne for the said Bels, there was runne a double race, to the great pleasure and delight of the spectators." In other words, we presume a dead heat was run.

* The book was printed in London "for I. B., and are to be sold in Saint Dunstanes Church-Yard in Fleete-Street."

The Chester "Cup" of the day being won, we are informed that "after the running of the horses, Fame speakes:—

"With rich characters of resplendent Gold,
Fame hath your names within her booke enrold:
Which till Time stayes his course shall glitter bright,
Maugre Detraction and fell Enuies spight."

It will be recollected, that the first horse in the race was to have the "beste cupp," and the one that ran second—or, as it is so pointedly described to prevent mistakes—"nexte the firste, before the reste," was to have the "seconde cupp;" and, in what follows, we find the winner of the best prize thus specially addressed:—

"Britaine to him that wan the best Bell."

"In signe of victory which thou hast gained
This Vreath by thy faire front shall be sustained
VVhose greene leau'd branches vnto Fame shall tell,
That thou didst best deserue the better Bell."

Such is, in part, a description of a very splendid pageant got up for the purpose of inaugurating the first grand festival of England's patron saint, St. George, by Chester's hearty citizens upwards of two hundred and fifty years ago, and one in which the then appreciated and subsequently cherished pastime of the people bore a leading part. And lest there should be any doubt as to who was the originator of "Chester's Triumph," and grand show and "solemnitie" made upon the occasion, the following conclusion to the book will at once settle the question:—

" If any reader shall desire to know
Who was the author of this pleasing show:
Let him receaue aduertizement hereby
A Sheriffe (late of Chester) *Amerie*
Did thus performe it; who for his reward,
Desires but Loue and competent regard.

ROBERT AMERIE."

Now there can be no doubt of the exact date when the first alteration was effected turning the old "ball of silke" into a "silver bell," and the permanent and annual institution of horse-racing on the Roodee, as the order marking this alteration stands recorded in the Acts of Assembly of the Mayor and Council of Chester. The Mayor alluded to,* and in whose mayoralty the change took place, was Henry Gee, and the actual Order effecting this alteration is dated "10th January, 3 Henry VIII.," which was the year 1511. The same Order also provides that the said silver bell in future to be run for on the Roodee, and which was to be the prize for that horse "which, with speedy runninge, then should rune before all others," was to be of the value of "three shillings and four pence."

Thus the fact is clearly enough established that as early as the 3 Henry VIII., or A.D. 1511, horse-races for a silver bell were instituted at Chester, and have been annually run for from that period on the Roodee. It is not at all improbable but that the pastime may have been practised occasionally, if not periodically, even at an earlier date still, but this point is very doubtful: the manuscript already quoted leaves us in

* See page 103.

the dark as to the object in the presentation of the previous "Saddlers' ball," which was yearly offered to the Drapers of the city, "time out of memorie of man;" it *may* have been raced for by horses, although the record does not speak of its being *contested* for in any way as a prize, but merely offered as a "homage." However, be this as it may, in the year 1511 the silver bell, of the value of three shillings and four pence, was first run for as a prize; in 1609 or 1610, the bell was converted into Silver "Cupps," the value of which is not stated, and from this date, the race as annually run for on the Roodee was then named and henceforth known as "St. George's Race;" and in 1623 there was another alteration made in the prize run for, as in that year the three cups were changed into "one faire Silver Cupp" of about the value of eight pounds. With regard to the prizes themselves, the silver bell run for in 1511 was apparently an absolute gift to the winner. The Cups offered in 1609, however, were only temporary rewards, held by the winners for the space of twelve months, when the holders were under bond to deliver up the Cups to be again run for, but they retained the amount in cash of the value of the Cups as subscribed for by those who ran horses for the prize, and which, as will have been seen, was a condition of the race. But this again was altered in 1623, when the prize was once more to be held "freely for ever by the winner."

Since the first institution of St. George's Race in 1609-10, several alterations have been made in the nature of the prize, as appears from some Chester

records in the Harl. MSS. Thus, we find that in 1629, the companies of the city contributed to St. George's Race to make up a sum of money; and in 1640, a piece of plate was given by the sheriffs of the value of £13 6*s.* 8*d.* to be run for on the Roodee on Easter Tuesday, in lieu of the sheriffs' breakfast of calves-head's and bacon, which it was previously customary for the two sheriffs of the city to shoot for on the Easter Monday. In 1665, it seems there was a bit of a row at these races: The "High Sheriff' borrowed a Barbary horse of Sir Thomas Middleton, which won him the plate; and being master of the race, he would not suffer the horses of Master Massey of Puddington, and of Sir Philip Egerton of Oulton, to run, because they came the day after the time prefixed for the horses to be brought, and kept in the city; which thing caused all the gentry to relinquish our races ever since."

As regards the amount of sport provided in the early times of which we have been writing, most probably there was only one day's racing (indeed, the fact is self-evident), and that there was only one race run, viz., St. George's Race, on that day. It would also appear as if for a considerable number of years afterwards the sport was not much more prolific, for in the year 1745, as appears from the "Westminster Journal" of 4th May, the races at Chester were extended to four days, but there was only one race on each day then. The Chester meeting for that year is thus chronicled:— "Last Tuesday 7 night being St. George's Day, began the races at Rood-dee, near Chester;" the returns are

briefly given, and from which it appears that on the first day, nine started for the St. George's Purse of £50; on Wednesday, five started for the City's Golden Cup of £60; on Thursday, four started for the Contribution Plate of 50 guineas; and on Friday the races ended, when four started for the Ladies' Purse of 50 guineas.* But if we do not find a great increase of sport in the number of races run, it is evident the value of the prizes were greatly enhanced in value. It was some years, however, before the Chester "Cup" became the rich prize it is of the present day, as in 1780, the value and conditions of the race as then run for is thus described in an advertisement in "Lloyd's Evening Post" of the 21st March that year:—

"On Thursday, the 4th May, the Annual City Plate, valued £30, with a purse of £20, given by the Corporation, for 5, 6-year olds, and aged horses; 5-year olds to carry 8st. 2lbs., 6-year olds, 8st. 11lbs.; and aged 9st. 5lbs.; mares to be allowed 3lbs.; the best of three four mile heats. To pay five shillings to the Clerk of the Course, and 3 guineas entrace." In 1810, as appears from Mr. Lyson's work,† the races at Chester were still held in the week within which St. George's day (old style) happened, on which the City or St. George's Plate was run for, "being now a plate of £65."

The King's Plate was first run for in 1802, and some years previous to the race being first run which is now

* Two or three days racing, and one race each day, appears to have been the general amount of sport provided at race-meetings about this period, as the same newspaper contains similar returns for Newcastle, Salisbury, &c.

† "Magna Britannia," see note at foot in vol. ii., part ii.

known as the Tradesman's or Chester Cup, there were not only several days' sport, but several races for each day; and in the year 1823, there was five days' racing, when, on the first day was ran these several races:— Grosvenor Stakes of 10 guineas each, 5 subs.; sweepstakes 25 guineas each, 14 subs.; sweepstakes of 15 guineas each, 6 subs.; Maiden Plate of £50, 5 starters; and a match. Second day: Royal Plate of 100 guineas, 4 starters; Handicap Sweepstakes 30 sovereigns each, 6 subs.; City Members' Plate of 60 guineas, 5 starters. Third day: Dee Stakes, of 50 guineas each, 10 subs.; the Stand Cup, value 100 guineas, added to a sweepstakes of 10 guineas each, 11 subs.; and Corporation Plate of 60 guineas, 3 starters. Fourth day: sweepstakes 20 guineas each, 7 subs.; sweepstakes 25 guineas each, 7 subs.; Handicap Sweepstakes of 30 sovs. each, 6 subs.; and Earl Grosvenor's Gift of £70, 2 starters. Fifth day: Produce Sweepstakes 100 guineas each, 3 starters; Palatine Stakes 50 guineas each, 10 subs.; Handicap Sweepstakes 10 guineas each, with 20 added by the Stewards, 3 starters; and Ladies' Plate of £50, 2 starters. In the year 1824, the Tradesman's Cup was first run for, being a cup, value 100 guineas, added to a Handicap Sweepstakes of 15 guineas each, 10 forfeit, and 5 if declared, &c., 24 subs., and 7 starters, and was won by the Doge of Venice. At first this race was always run on the first day, Monday, but it was transferred to the Wednesday, in the year 1844. The largest number of subscribers to this race was in the years 1853 and 1859, on both of which occasions the

numbers were equal, viz., 216; and the greatest number that ever started for it was in the year 1852, when the large number of 43 horses went to the post for this rich prize.

From the preceding particulars it would apparently seem that at the period when the race for the Tradesmans' Cup was first instituted (1824), Chester was in the very height of its racing glory, but strangely enough we stumbled upon a letter written by "Nimrod," to the "Sporting Magazine," dated from Chester, May 21, 1824,—in fact, just after the *first* Tradesmans' Cup ever run for was won—in which he laments that Chester races then were not what Chester races formerly were, not on account of any paucity of sport, as will be seen, but because the sporting society of Chester had become somewhat more refined than it was wont to be! The following are two extracts from the letter:—

"Chester, however, as a convivial meeting, is not what Chester was. The chilling stream of refinement has passed over every corner of the empire, and neither a Welch nor Cheshire Squire can now be so vulgar as to be seen on a race-course after he has had his dinner. The 2 o'clock ordinaries, formerly so well attended, and where so much mirth and good fellowship prevailed, are all knocked in the head, and private parties substituted in their room. The office of stewards appears almost a sinecure, and, for my own part, I never knew who they were, till the races were almost over—instead of, as in former days, having drunk their health every day in the week, with 'three times three.'

"As a place of sport, however, Chester is greatly improved; and as a country meeting may rank next in the list to Epsom, Ascot, York, and Doncaster, having no less than nine good sweepstakes, one King's Plate, two Gold Cups, and five other plates," &c.

The foregoing particulars give a pretty accurate idea of what horse-racing was in its origin. Although in many respects there is no comparison between the pastime in its early days and those of the present, we see, nevertheless, the welcome offered, and the preparations and "solemnitie" made to usher in and inaugurate the first St. George's Race by Chester's bonny citizens! Not the least pleasant of the associations which recur to one when standing upon the Roodee, and witnessing the annual struggle for the "Cup" in our own days, is that of speculating upon the nature of the sport and spectacle presented, long, long years gone by. "Time works wonders" is an old proverb; and what a wondrous and interesting sight it would be, supposing it possible, if there could now be congregated upon that spot by the side of the Dee the race for the Cup of the present day, with all the features peculiar to it: the thousands upon thousands wending their way from the different termini through its still quaint rows and streets to the course; the crowds and hubbub there; the clearing the course; the saddling of the horses; the hoisting of the numbers and starters with their respective jockeys, and the by no means indifferent or immaterial inquiry amongst the crowd of "what's Fordham on?" the eager scanning of the different high-bred animals, with natural powers heightened to

a culminating point by the scientific training of the day; the hundreds of throats bawling out, distinct above the general conversation and buzz, and offering bets to an almost fabulous amount, which are as loudly and insatiably accepted and greedily devoured by other hundreds of throats; and the final race itself and rushing past of some thirty or forty high mettled racers. We say, what a wonderful sight and contrast would be presented, if, in juxta-position to these features of the present day, could be placed the race on the Roodee exactly as it occurred in 1511, or the first St. George's Race of 1609, with its self-same horses, riders, with those assembled to see it and their peculiarities of manner, dress, and customs, not forgetting the poet, his speeches, verses, and inventions, as also the man who "sownded the drum up alongside of St. Peter's steeple;" and then the race from the tower "five times round about the Rood-dee." How those of one age would stare at the other! We wonder what the ideas and thoughts of the present would be respecting that of the past? would the hearty interest taken in the—comparatively speaking—paltry sports of our forefathers be sneered at, or their innocent and harmless indulgence of it be mocked? We think not; for bad as may be some of our natures in the present day, there is a sense of refinement in most from the progress and general application of education which would raise a different feeling in human breasts now to what it would some years back. Degraded principles and evil dispositions may be as common as ever they were, but they shrink from braving the light of day or public

opinion as they used to. And what would the years 1511 or 1609 think of 1862? Was the youngest in time so far superior to the other in ideas and habits of morality that it would be justified in condemning altogether the pastime because the original had become so enlarged from its nationalisation as to claim so great an increase of general attention and interest, and consequently from its wide sphere of action offer a tempting opportunity to those who would for self-gain creep in and leaven it with impurity the same as they would any other institution? We do not think so. There may be, and no doubt are, many abuses connected with the Turf in our own day, but the "good old times" had its foibles as well as the more modern ones: we cannot forget that there was a deal of hard swearing and hard drinking customary with our forefathers—a custom openly indulged in, and which at the time was viewed as a merit, rather than one likely to meet with condemnation —and that if the pastime was then innocent in its practice, it was also in its infancy, and therefore the less likely to be contaminated. Strong passions and self-interests were predominant in those early days of the pastime as well as in our own; and we have an instance in some Chester records in the Harl. MSS., quoted at page 110. We think then that both in the past and the present ages of the sport there is much to admire, and may be much to condemn; but neither the one nor the other possessed that amount of high principle and morality which exempts it altogether as being free from vice, or justifies any partial exoneration or condemnation. Horse-racing is now, and has been

for many years, the chief amusement of the people, having for its supporters many of the highest in the land; and the moral we wish the comparison to convey is this: that even if the general good qualities and effects of the pastime are occasionally dimmed by evil consequences, that there is no occasion whatever, for the purpose of eradicating the evils which have attached themselves to it, that we should either condemn or destroy the institution altogether.

But our moralising has led us away from the real subject, and we will therefore return to Chester and its races. The race-course is a round, flat one, of about one mile and forty-six yards in circumference, and on the river side used to be very narrow, and consequently where large fields ran, very awkward; indeed several accidents have happened from this circumstance, and it has therefore been widened and improved at this part. There is a large and commodious grand stand, as also several other stands, ranged alongside the Castle walls; but its principal feature as a race-course consists in the *natural* facilities offered to the spectators for seeing the running. The course being round, the centre affords a space for some thousands of the people on foot and those in carriages, &c., to have a good view of the race, the horses, as it were, running round them. But in addition to the view offered from this point, there is another: in a line running parallel with, and below the City or Castle walls, and bearing right round by the Castle pole to the new bridge over the Dee, the plain below gradually rises up into banks, and forms a series of ledges or steps on which some thousands of

the people can either stand or sit down upon its grassy mounds, and have a splendid view of the course itself, and those on the plain below them, and this gradual rise of the banks places those upon them one above another in a similar manner as an audience would be by the raised seats in the pit of a theatre; and high up, again, above all, are the Castle walls, on which some thousands more overlook those on the banks and plains below them.

We now take leave of Chester, which apart from its racing antiquity and celebrity, is rich in historical events and incidents to recommend it to the tourist; indeed, its fine old cathedral and antique built city is alone worth going some miles to see. In addition to the horse-racing for which the City of Chester is famous, it appears that very anciently there were other localities in its county at which the pastime was practised, although none of them were of much note. Thus at Taporley in Cheshire, which is about ten and a-half miles from Chester, horse-racing was practised at least as early as 1622, as in Webb's "Itinerary" they are spoken of as being held in the first week in November, at a place called Crabtree Green on Delamere Forest; and at Little Budworth, a place about four miles from Taporley, it is also mentioned that there was a four mile course on which horse-races were run in the reign of Charles I., and that an Annual Plate of £20 was contested for there. On Wallessey shore it would appear from the same authority that at the same date races were held at Taporley; they were also frequent here. The "Itinerary" thus alludes to

them: "These fair sands, or plains upon the shore of the sea at Walsey, which for the fitnesse of such a purpose allure the gentlemen and others oft to appoint great matches, and venture no small sums in trying the swiftness of their horses." These races were, however, discontinued about 1750.

CHAPTER II.

Yorkshire: sporting propensity of Yorkshiremen.—Early institution of Horse-Racing in York.—Knavesmire: establishment of races on this course; statistics relative to these races.—Doncaster Races, and the St. Leger; statistics relating to these races.—Extraordinary matches at Doncaster; Mrs. Thornton's Match, &c.—Gambling at Doncaster.

TAKING a county throughout, and including its entire limits from east to west, and north to south, where can one be found more thoroughly imbued with sporting propensities than the ancient Eboracum of the Romans, York. From the natural aptitude of a Yorkshireman for the sports of the field, one would almost imagine that from some physically local cause, this propensity was inherent from their birth; for certain it is, that nothing in the shape of sport from cricket to horse-racing comes amiss to them. "A blood-horse," says Druid, in the "Post and the Paddock," "has always been the idol of Yorkshiremen, who were the first to chronicle his deeds; and attendance on his race-course levees is an honest broad-bottomed custom which they will never resign. Before the South Yorkshire line was opened, the Sheffielders, man and boy, thought nothing, year after year, of walking through the night to Doncaster, taking up a good position next the rails, which they never quitted from 10 to 5, and then walking the

eighteen miles home again; and till within the last few years, a Devonshire man used always to make a St. Leger pilgrimage both ways on foot; and accounted for this strange whim on the grounds that his 'grandmother was Yorkshire.'"

But we will take another phase of their sporting character. Sylvanus, in his charming "Bye-lanes and Downs of England," says, that in his days, there were "many retail shops in York, wherein you might purchase half an ounce of cayenne, and 'get pepper' to a 'pony' on any great race pending, from the sedate, tranquil old gentleman who served you—if known *masonically*, that is. There was a sporting, smell-fungi old character, habited in drab integuments and a flaxen wig, who dealt in chemicals, and seemed a very 'deacon of the craft,' so methodical and combed into respectability did he appear, as you made known your solicitation in his line. But give him a three-quarter look—a glance 'across the flat'—and insinuate, 'I say, Doctor, what can you lay against 'Syringe' for the 'Nursery?' then wouldn't the old gentleman's eye flash with an *arch*-deacon-like gleam? or say, 'Doctor, I want to back a horse in the Ebor handicap for a tenner'—probably one at Malton, a stable lad from the *lot* not impossibly being, at the very moment, in the doctor's little back parlour, discussing a plate of corned beef and a horn of October; after having told the worthy old citizen that your fancy was indisposed, and that he might 'lay.'—wouldn't he *then* make a rush at you over the counter, and book you before you could say 'done!' They were all more or less inoculated with

the true vaccine of the John *Bull*ush propensity to trade and sport simultaneously. Even the old Quaker tea-dealer in the square would take a point more than the betting on John Scott's Leger horse; yea, even on the good steed 'Solomon' for a 'fiver,' would he venture—and stake! whilst many a bootmaker would give you a pair of boots, and any tailor a coat, to 'return fifty' on their fancied outsider in Scott's lot for the Derby."

After these two quotations, we need say nothing more on this particular subject, except that the predominancy of this inclination makes Yorkshiremen particularly skilful in the knowledge and practice of any pastime; and their hearty indulgence of it, has resulted in this county furnishing more genuine sporting notabilities than any other. But let us hie away to its history.

In an edition of Camden's "Britannia," published in 1590, horse-racing is spoken of at that early date as having been practised in the Forest of Galtres, on the east side of the City of York, the winning prize then being a small golden or silver bell, which it was customary to attach to the head gear of the winning horse, and the animal was then led about in triumph; and even at this early period, it was said to be scarcely credible the large number of people who attended these races from all parts, and the large sums of money that were wagered upon the horses. Drake, in his "Eboracum," states that in 1607, there was a great frost, when the river Ouse was frozen over so hard, that a horse-race was run upon it from the Tower at Marygate end,

through the great arch of Ouse Bridge, to the Crane at Skeldergate Postern. This great frost and horse-race is also referred to by Torr in his "Antiquities of York," which is written in the form of a diary, and where he thus speaks of the circumstance, "there were matches of sport and horse-races" run upon the ice. He further informs us, that in the year following, 1608, "about the 16th of December," there was another great frost, when the river was once more frozen over, and again "there was also a horse-race upon the ice, from the Tower of Saint Mary Gate end next the river along, through, and under the great bow, or arch of the bridge, to the Crane near Skeldergate posterne." Further evidence of the customary practice of the pastime at this period is almost unnecessary, but it may be added as somewhat conclusive, that Pennant* also mentions that "a little golden bell was the reward of victory in 1607, at the races near York," and that a bell was then a "common prize," from which circumstance arose the proverb, "to bear the bell." It is clear, then, that horse-racing was systematically practised in the county both in, and some time previous to, the year 1590; and from the evidence of Torr, Drake, and Pennant (who all refer to the same year, but the two latter evidently to races held in different localities, as Pennant says nothing about the racing he alludes to being run on the ice) the pastime appears to have been common enough in the neighbourhood, as also the City of York, in the year 1607.

Since the first institution of the pastime in this

* "Tour in Wales," p. 193.

county, race meetings have been held in many and various parts of it at different times, and as many of those first established are extinct, and others again are of more recent birth, but none of them possess, by comparison, a particularly wide or general interest, we shall confine our further remarks to those two meetings which were amongst the earliest established and most important, and have retained their importance down to the present day—we mean York races as run over Knavesmire, and those held at Doncaster.

And first of Knavesmire. The word itself is derived from the Anglo-Saxon, *knare* being the term for a man of low condition, and *mire* signifying a swampy pasture of the poor householder's cattle. The race-course is situate about a mile from the town of York, on the road to Tadcaster, and the races, according to one historian,* were first established here in 1709, and very quickly met with decided support, for we are told that in that year, "the citizens made a collection with which they purchased five plates, which were run for over Knavesmire, and from that period to the present, the annual meetings have been supported with much spirit;" and this authority also adds, that horse-races were regularly run on Clifton Ings at the same date.

However, with respect to the date when horse-races were first held on the Knavesmire Course, there appears to be some difference of opinion, for Pick, who may be termed the Racing York historian, makes it some years later, as he says that the races were first held at Clifton and Rawcliffe Ings, about one and a-half miles

* Shehan's and Whellan's "History of York," p. 633.

north-west of the city; that at the races there in 1730, in consequence of heavy rains, the river Ouse was so much swollen as to overflow part of the course, which made it necessary to postpone the racing for that day's plate until Saturday, after which it was agreed that the races should be run for over Knavesmire, where a course was laid out by Mr. Alderman Telford, which gave much satisfaction for the time, &c.; and that the *first* race over Knavesmire was for the King's Guineas in 1731. And Orton, in his "Turf Annals of York and Doncaster,"* apparently confirms Pick, although we imagine he simply adopts and takes the statements of the latter for granted, without much inquiry on his own part. His book commences with a return for York Races for 1709, and five succeeding years up to 1714, and he heads them as having been run for "over Clifton and Rawcliffe Ings;" but with the last mentioned year's returns, he adds, as a note, that no regular printed lists of the posting of the horses were published for those six years, but that the returns given were "furnished from the information of a sportsman who was present at each day's races, and on whose accuracy perfect reliance may be placed." He then gives each year's returns for York up to and inclusive of the year 1730, and which are all headed like the others as having been also run for "over Clifton and Rawcliffe Ings;" but his returns of the races for the year 1731, are headed as having been run on, or,

* The principal contents of this work is a return of the races run in Yorkshire, from 1709 down to 1844, as also returns for the Derby and Oaks from their commencement down to the same date.

"first race over Knavesmire." With regard also to the shifting of the races from one place to the other, he alludes to it at the end of the returns for 1730, and gives exactly the same reasons as the cause of their removal as Pick does—in fact, the expressions used are so similar, as almost to stand for a quotation.

Now, on the other hand, as already seen, we have the valuable authority of the writer of a perfect history of the county, who states, plainly enough, that races were held at *both* places in the year 1709, and we see no reason to doubt but that such was the case. Drake also in a measure confirms this view of the case, as in speaking of the races at York—although he does not specify the particular spot—he says, "these races were first set up anno 1709, when a collection was made through the city for purchasing five plates to be run for. Anno 1713 the King's Gold Cup, since changed into one hundred guineas, and given annually to several counties, was procured to be at York, where it has ever since continued to be the first plate, and run for on the first day of the week. Clifton Ings was for several years the place of trial, but upon a misunderstanding with the owner of that ground, or great part of it, the race was altered; and Knavesmire, a common of pasture belonging to the city was pitched upon for that purpose." Now it seems clear enough, that although Drake does not mention Knavesmire by name as the race-course he alludes to where the races were "first set up" in 1709, and where the King's Gold Cup was procured to be run for in "1713," yet he means that course and no other; and this seems

apparent from the fact that he dates the races of which he does speak from the year 1709, and that very evidently he is all the while speaking of Knavesmire by reason of his afterwards alluding to the races being *previously* to that date run on Clifton Ings. It may also be remarked that he says the Royal Cup was first run for in 1713, and where, *ever since*, it had continued to be run for, &c., and as his "Eboracum" was published in 1736—almost at the very period of which he was speaking—one would think that he would not have fixed a date when a thing was first established, and taken no notice whatever of any change being made respecting it so soon afterwards, and which, if Pick and Orton are correct, was made in 1731, and previous to which date they say there was *no* racing at all at Knavesmire. Again, this Royal Cup Orton gives in his returns as being run for in the year 1711, at Clifton and Rawcliffe Ings, and it is included in the returns as being run for at that place every year up to 1730, but in the following year (1731) it is transferred with the rest of the races to Knavesmire; but Shehan and Whellan again agree with Drake, as they say, "In 1713, four years after the establishment of permanent races at York, the King's Gold Cup was procured, and has ever since been run for at the August meeting." Certainly these writers may have simply followed Drake as Orton apparently does Pick, but if they do, they evidently consider, with ourselves, that the races spoken of were those held on the Knavesmire. Furthermore, it will be noticed that both Shehan and Whellan, and Drake, speak in the same

terms of the collection made in the year 1709 through the city for purchasing the five plates, which the former states, in a positive manner, "were run for over Knavesmire."

It may also be observed here that there is evidently some uncertainty not only as to *where*, but also as to *when*, the first Royal Cup was run for at York. Thus Orton's returns give 1711 as the date when it was first run for at Clifton and Rawcliffe Ings, 1731 when run for at Knavesmire, and 1715 is the year for which he first supplies any returns for Black Hambleton, although he says that a Royal Cup was run for there long before that date. Drake again, and Shehan and Whellan, agree as to 1713 being the year when the first King's Cup * was run for at York races, whatever part of York they may have been held at; whilst in vol. viii., p. 43, of "Sporting Annals," there is a list of "Winners of the King's Plate at York," from 1710 down to 1824. Now at *which* of the York race meetings was the Cup of 1710 run for? Was it at Black Hambleton—the date of whose first Cup as run for has been seemingly lost in obscurity? It may have been so, yet it is not very likely, as the records of this meeting have always been spoken of and kept distinct from that of York. The question certainly may scarcely be worthy of discussion, but there may be some so far interested as to wish it decided, and

* Strictly speaking, Drake should have called it the Queen's, not King's Cup, as Queen Anne was on the throne at the time, but of course this was a mere clerical error.

others again sufficiently well informed to be able to give an explanation.

In this diversity of opinion, then, we are inclined to agree with the last mentioned authorities, and conclude that the races were held annually on both courses—at Clifton Ings previous to and for some years subsequent to the year 1709, and at Knavesmire at and from that date; and that most probably in or about the year 1731, the races were done away with at the former place and transferred to the latter. And this view we are the more inclined to adopt for the reason that Mr. Orton apparently has no other evidence of the fact of races being held at either place from the returns he makes beyond that of individual memory and oral testimony; although, at the same time, we have no wish to either doubt his evidence or question the veracity of his informant: it is simply the *value* of the evidence as furnished by each side which determines our judgment; and in justification of the preference so given, we may remark that that clever and able York historian, Drake, differs entirely with both Pick and Orton as to the *reasons* which caused the removal of the races from Clifton Ings. As to the fact of there being races held in several and different parts of the City and neighbourhood of York about the period stated, there can be no question; for in the dedication of Mr. Torr's book (already quoted) to Sir William Robinson, of Newby, Bart., and after speaking of that gentleman's many bountiful gifts, he adds, and "for your annual benefit to the citizens in general, both in permitting your ground to be exposed to a public

horse-race, and at your own charge building a bridge for its convenience, which with its being in the neighbourhood of this city *—where the best accomodations of all things necessary for strangers are not wanting—make it one of the most agreeable races in the kingdom." Now Mr. Torr's work was published in 1719, so the racing he refers to as held on Sir William Robinson's grounds, it may be considered must have taken place very near the year 1709; it may have been even previous to that year, and it *could not* have been more than ten years afterwards.

But whatever difference of opinion there may be as to the exact spot where, or time when, the races were held, one thing is certain, that once fairly established, the Yorkshire folks did not let the grass grow under their feet in pushing them forward, and, as we have seen, they very soon secured the Royal Cup as one of their prizes to be run for. Even at the first establishment of their races, *wherever* they *were* held, it is certain they largely patronised them, for we are informed that the races held on Clifton Ings in 1714 had become so popular, "that there were 156 carriages upon the course in one day."† There are two excellent race meetings held here in the course of the year at which plenty of sport is provided, viz., the Spring Meeting in May, and one in August, and to which may be added the Yorkshire Union Hunt Meeting in October, and some steeple chases in April. To show how well the races at York are supported, we find that in the past year, at the two meetings in May

* York.

† Shehan and Whellan.

and August, the value of the different Sweepstakes and other prizes run for amounted to £9,475, and this was exclusive of a match (which was not run, but 500 sovereigns paid as forfeit) for £1,000, and two royal plates of £105 each; and that 232 horses in all started for these prizes. One of these royal plates is only run for by mares; and previous to 1776, this prize was run for at Black Hambleton, but in that year it was ordered that it should be run for on the Knavesmire and at Richmond alternately, and this was the rule observed for some years, but subsequently and at the present time it is always run for at York.

The Knavesmire race-course is one mile six furlongs and rather over fifty yards round, and being in form similar to a horseshoe, it is considered one of the very best in England for witnessing the racing, the spectators standing in the centre, and the horses, as it were, running round them. At one time, the Knavesmire was a very bad, swampy course; and it is recorded that at the races there in 1776, owing to the heavy rains, the course was in such a state that for about fifty yards in one part of it the horses ran nearly and sometimes above their knees in water. Since that period, however, a good deal of labour and money has been spent in improving it, and thorough drainage now counteracts the bad effects of any heavy rains or overflow of the river. The great patronage accorded the races held on Knavesmire soon rendered a grand stand necessary for the accomodation of the numerous visitors, and accordingly in 1753, a subscription under the patronage of the Marquis of Rockingham was

opened for the purpose of erecting one. Two hundred and fifty shares of £5 each were soon taken up, the holders being entitled to a free admission to the stand for 100 years. The Corporation of York, nothing loth to put their shoulders to the wheel to assist a sporting enterprise, granted a ninety-nine years' lease, and the building, designed by Mr. Carr, an architect and Alderman of the City, was erected in 1754.

Although we have discoursed first of the York races, yet in point of importance the Doncaster meeting should claim precedence on account of the great St. Leger race being run on its course. This, however, is of no consequence; and entering at once into its history, the earliest notice we can find of races being run on Doncaster Town Moor is in 1703, and that in 1716, the Corporation or Town Plate of £50 was given to be annually run for there, and the farther sum of £42 was also added by the Corporation to go towards the stakes.* The race known as the St. Leger was first run for in 1778, and was won in that year by Sir T. Gascoigne's Hollandaise.

But two years previous to this, a sweepstakes on exactly the same conditions as the subsequent St. Leger, was run and won, in 1776, by the Marquis of Rockingham's Allabulculia, and in 1777 by Mr. Sotheron's Bourbon; but strictly speaking, the first race called the St. Leger was run for in 1778. This important race was named after a Colonel St. Leger, who resided at that period at Park Hill, near Doncaster, and who originated the sweepstakes for three year olds, as run

* Lewis's "Topographical Dictionary."

for on the same conditions in 1776; and the race itself was so named at a dinner held on the day of entry at the Red Lion at Doncaster, in 1778; the chairman—the Marquis of Rockingham—proposing that the race should be called the St. Leger, in compliment to the Colonel, and it has accordingly been known and run for in that name ever since.

In 1803, the King's Plate was transferred from Burford to Doncaster, where it was in future to be run for, and this caused another day to be added to the previous three days' meeting; and, in 1825, the races were further prolonged to five days. In addition to the various stakes run for here, the corporation give—we believe this is the sum now given—as much as £1,000 in all, annually, to these races. There are two meetings in the year at Doncaster, one in March, and the other in September; and at these two meetings of the past year, the value of the different stakes run for amounted to the large sum of £16,167, exclusive of a Queen's Purse of £105, and for which 320 horses ran! The course is about a mile from the town of Doncaster, in the west Riding of York, and is one mile, seven furlongs, and seventy yards in circumference. A very elegant and commodious grand stand was erected by the corporation in 1778; and in 1826, a really elegant building of the Ionic order of architecture for the use of the sporting men attending the races, and called the Betting Room, was erected. Its dimensions are 90 feet in length, and 22 feet in breadth. During the day, the light penetrates through a handsome dome,

and at night it is lighted up by three superb chandeliers.

The celebrated St. Leger Race, as we have seen, was first run for in 1778. Originally, these stakes were a contribution of 25 sovereigns each, play or pay; but it being found that many knavishly disposed persons sent horses to the post for the express purpose of making false starts to suit their own pockets, the subscription was altered, in 1832, and increased to 50 sovereigns each, half forfeit. This race, in its earlier days, had not that degree of importance attached to it which it possesses in the present day, as the following exact and full particulars, copied from the "Morning Post" of October 4, 1776, will show:—

"Doncaster Races.

"A sweepstakes of 25 guineas each, p.p. for three year olds.

"Lord Rockingham's brown bay f., by Sampson . . 1
Mr. St. Leger's bay f., by Surly 2
Mr. Wentworth's bay colt, by Doge 3
Lord Scarborough's ches. c., by Remus 4
Mr. Folijambe's bay f., by a son of Blank 5

"Mr. Farrer's gray c., by Bay Malton, paid.

"Two to one Lord Rockingham's filly won."

We find nothing more recorded about this race, and can only point to a comparison as between the above account, with the three and four columns both just before and immediately after the St. Leger is run for, in "Bell's Life," or any other sporting paper of the present day, and the wonderful progress this great nor-

thern race has made in the estimation of the sporting public, and the great interest of late attached to it, will be at once evident.

Since the first establishment of this race, the weights have been altered four times. At first the weights carried were—colts 8st., fillies 7st. 12lbs. In 1789; they were altered to colts 8st. 2lbs., fillies 8st.; again revised in 1826, when colts carried 8st. 6lbs., fillies 8st. 3lbs.; another change was made in 1838, when the weights stood—colts 8st. 7lbs., fillies 8st. 3lbs., at which they remained until the past year—1862—when colts carried 8st. 10lbs., and fillies 8st. 5lbs. With regard to statistics of this race, we find that the same horse has succeeded in accomplishing the feat of coupling the two great events of the year, viz., winning both Derby and St. Leger, on five different occasions as follows:—

Champion	in 1800
Surplice	in 1848
Flying Dutchman . . .	in 1849
Voltigeur	in 1850
West Australian . . .	in 1853

Thus, the charm was not broken until 24 years after the race was first contested for. A period of 48 years then elapsed before the same event occurred again, and then, in lieu of there being any lapse whatever, the feat was accomplished three years running! Of those noblemen and gentlemen who have been most fortunate in carrying off this valuable prize—second only to the Blue Ribbon of the Turf—may be mentioned Lord A.

Hamilton, who won the St. Leger no less than seven times, including three years running, viz., in 1786, 1787, and 1788! and again two years running, in 1808 and 1809!! As regards this piece of consecutive good fortune, however, we may remark that but few horses started in each year, as in the first instance there were but 8 competitors, in the second, 6, and in the third, 5; but in 1808 and 1809 the fields were larger, numbering respectively 12 and 14 starters. Mr. Petre was four times a winner, including 3 years running, viz., in 1827, 1828, and 1829, against good fields of 25, 18, and 18 opponents each time. Mr. Goodricke pocketed the stakes four times, and Lord Westminster on three occasions, inclusive of doing so two years in succession, viz., in 1840 and 1841, when the fields numbered 11 starters in each year. Mr. Mellish and Mr. Peirse each carried off the prize in two successive years, the first in 1804 and 1805, against fields of 10 and 9; and the latter in 1817 and 1818, against 17 and 20 competitors. Lord Eglintoun has twice carried off this prize, viz., in 1842 and 1847; and Mr. Bowes once, in 1853.

The most fortunate jockeys in winning this great northern prize have been, Mangle, who won this race 6 times, including four years running; Jackson, 8 different times; Smith, 6, inclusive of two years running; Shepherd and Johnson, each on 4 occasions, the latter two years in succession; Robinson, twice only; the Day family three times; Scott no less than 9 times, which included twice running in 1828 and 1829, and then four years in succession, viz., in 1838, 1839,

1840, and 1841, and one of which he won after running a dead heat with Euclid! F. Butler was successful on 2 occasions; Flatman on 3, including two years running, in 1856 and 1857; Marson twice; L. Snowdon twice; Challoner on 2 successive occasions, viz., in 1861 and 1862; and Wells once.

The average number of subscribers to this race for the first 20 years from its being first run for, was 12; of starters, 7; and of those placed, 6.* For the second 20 years, the numbers increased to, subscribers, 32; starters, 12; and placed, 5. The third 20 years, the numbers were augmented to, subscribers, 72; starters, 19; and placed, 3. And for the last 27 years, the subscribers amounted to 126; starters, 12; and placed, the average was nearly 4, owing to the whole field that started—11—in 1859, being placed by the judge.†

Of particular incidents in connexion with the St. Leger Race, we may state that previous to the year 1806, the distance run was two miles, but in that year, Fyldener—the winner—first ran over the Leger course of 1 mile, 6 furlongs, and 193 yards. This race was also always run on a Tuesday, until 1807—except on one occasion, in 1794, when it was run on Wednesday—in which year the day was altered to Monday, and it remained so till 1826, when it was again altered to

* The fractions are omitted here, as also in the averages for the Derby and Oaks.

† The reason why the numbers of those placed *decrease* instead of augmenting with the corresponding increase in the number of subscribers and starters, is owing to the fact that where small fields only start the judge often places every horse in the race, but in the case of large fields he seldom places more than three.

Tuesday. Another alteration was made in 1845, when the day was changed to Wednesday, and it has continued to be run on that day ever since. In 1813, there were no less than ten false starts! the horses got off at the 11th. In 1819, some of the horses were left at the post, but the others ran the distance, and *Antonio* won; there was, however, a second race, in which 10 of the horses started again, when a horse called *Sir Walter* came in first. The case was submitted to the Jockey Club, who decided the second race should not have been run, and awarded the stakes to Antonio. In 1826, the distance run was altered to 1 mile, 6 furlongs, and 132 yards. And in 1839, there was a dead heat between Charles XII. and Euclid: deciding heat, Charles XII. won; and another in 1850, between Voltigeur and Russborough, when the former won.

We have before alluded to the natural sporting propensity of the Yorkshire folks, one pervading all classes, and we may add both sexes, as the following literal copy of an advertisement of some races to be held at Ripon, in Yorkshire, and which appeared in the "Newcastle Courant" of August 28, 1725, would seem to indicate:—

"To be run for. The usual 4 miles course on Ripon Common, in the County of York, according to Articles. On Monday, the 13th of September, a Purse of 20 guineas, by any horse, mare, or gelding that was no more than 5 years old the last grass, to be certified by the breeder; each horse to pay 2 guineas entrance, run 3 heats, the usual 4 miles course for a heat, and carry 9 stone, besides saddle and bridle. On Tuesday, the 14th, the *Ladies* Plate, of £15 value, by any

horse, &c. WOMEN to be the riders, each to pay one guinea entrance, three heats, and twice about the common for a heat."

Here is an account of a match of which our sporting county was partly the locality, and which is curious as showing that the quadruped, as well as the biped, can indulge in the juice of the grape at times :—

"In 1773, there was a match between Mr. T. Walker's hackney gelding, and Captain A. Hay's road mare, to ride from London to York. Mr. Walker rode his own horse, and Captain Mulcaster Captain Hay's. They set out from Portland Street, London, and Captain Mulcaster arrived with the winning mare at Ouse Bridge, York, in 40 hours and 35 minutes. Mr. Walker's horse tired within 6 miles of Tadcaster, and died the next day. The mare drank 12 bottles of wine during her journey, and was so well on the following Thursday as to take her exercise on Knavesmire." *

These particulars might have been heightened in interest, if the quantity imbibed by the rider had also been given. If a round dozen was necessary to enable the mare to hold out for 40 hours and 35 minutes in order to accomplish the arduous task, what quantity was drank by the man—who generally speaking is by far the thirstier animal of the two when the liquid in question is anything stronger than water—during the same time?

A very severe race was run over the Doncaster course, September 28, 1797. The race was for £100,

* "Sporting Magazine" for 1792, vol. i., p. 56.

in two mile heats, for which 7 horses started, viz., *Warter*, *Pepper Pot*, *Stamford*, *Cardinal*, *Trumpator*, *Hipswell*, and *Commodore*. The first heat was strongly contested between *Stamford*, *Cardinal*, and *Pepper Pot*; the second was a dead heat between *Warter* and *Pepper Pot*, *Stamford* being third; the third heat was won by *Pepper Pot*; the fourth by *Warter*; and, astonishing to relate, the fifth was a dead heat again between *Warter* and *Pepper Pot*! These two horses started again, for the sixth time or heat, when *Warter* was the victor. Such an evenly balanced and exciting struggle must have been well worth witnessing; and undoubtedly the animals must have possessed great stamina and gameness.

It seems as if York was determined upon gaining a pre-eminence in sporting notoriety over that of any other place, for the foregoing match was nothing in comparison to one that came off at York in 1804, and which may justly enough be termed a celebrated one in every respect from beginning to end. It commenced on the race-course, which was natural enough considering the nature of the contest; then broke off into a paper warfare, ending with poetry, which was a sad divergence from its proper sphere of action; returned again, in a measure, to its legitimate channel, viz., the race-course, only unfortunately in the shape of a horse-whipping administered thereon; again it deviated, and made its appearance in a police court; then took a higher flight in the same direction, and appeared in the King's Bench, at Westminster; and finally concluded its erratic performance at York Assizes! But here are

the particulars, for some of which we are indebted to an old number of the "Sporting Magazine." *

The match as made and subsequently run originated in a friendly way, and arose in the course of an equestrian excursion by Mrs. Thornton and Mr. Flint—the two parties between whom the match was made and carried out in its performance, and between whom there was a relationship, Mrs. Thornton and Mr. Flint's wife being sisters—in which the qualities of their respective horses were discussed, and each being in earnest as to the merits possessed by their individual animals, the horses were then and there put to the proof, and the result was in favour of the lady, which, it is said, so discomfited the gentleman, that he challenged Mrs. Thornton to ride a match for 1,000 guineas. The challenge was accepted, preliminaries adjusted, and the match arranged to come off on a future day.

The match was no sooner made than it began to engage the attention of a great part of sporting Yorkshire, and it became a common topic of conversation. Opinions and speculations respecting it were current enough from the time the match was made up to the very day it was run; and all sorts of notions got abroad as to the manner in which the lady would ride, her costume, &c.; great interest was also felt as to the result, and, as the time drew near, it was evident enough that the lady was the favourite—a long way ahead of her opponent in this respect. The 25th August, 1804, was the day appointed for the match between Colonel Thornton's Vingarillo and Mr. Flint's

* Vol., xxiv., for the year 1804.

Thornville, four miles; Mrs. Thornton to ride her weight against Mr. Flint's. The "York Herald" of that date states that such an assemblage as was drawn together to witness this match was never before seen; there were at least 100,000 people at the races on this day: ten times the number that appeared on the Knavesmire either when Bay Malton ran, or on the day when Eclipse ran, and left two of the best horses of the day a mile and a half behind him. The concourse of people was so great, that several additional bodies of men were employed to keep the course clear, amongst them a detachment of the 6th Light Dragoons on horseback. Mr. Flint's colours were white, and Mrs. Thornton rode side-saddle in a dress the body of which was a leopard colour, blue sleeves, and the rest buff, and a blue cap. The betting at starting was 5 and 6 to 4 on the lady; and it is stated for a fact, that upwards of £200,000 were depending upon the result! In the running, the lady took the lead at starting, and kept it for upwards of three miles, when Mr. Flint pushed forward, obtained the lead, and kept it; and Mrs. Thornton, finding she could not win, pulled up when about five hundred yards distant from the winning-post. The race was run in 9 minutes 59 seconds.

Here for a time ended this extraordinary match, in which the two opposite sexes were pitted against each other. Before the race was run, there was apparently a strong feeling in favour of the lady, which was considerably heightened after the race by sympathy for her defeat. No doubt many at the time considered it very ungallant in the gentleman to avail himself of the

superior powers of his horse in snatching a victory from his fair competitor, and that had he shown that courtesy which is considered to be a privilege especially due to the ladies, he would have remained last *throughout* the race; but perhaps Mr. Flint's want of courtesy on this occasion was owing to the knowledge that to have extended such to any great extent would have cost him a thousand guineas! However, be this as it may, Mrs. Thornton appears to have considered that Mr. Flint was not so profuse as he might have been in this respect towards her, as appears from the following letter, written to the "York Herald," and which was published by that journal under date 1st September, 1804:—

"Mr. Editor,—Having read in your paper that Mr. Flint paid me every attention that could be shown on the occasion of the race, I request you will submit the following elements of politeness to the gentlemen of the Turf, for them to sanction or reject, upon any future match of the kind taking place.

"Element 1.—Mr. Baker, who kindly offered to ride round with me on account of the dangerous accident I met with on the Wednesday before from my saddle turning round, was *positively* and *peremptorily* refused this permission.

"Element 2.—At the starting-post, the most distant species of common courtesy was studiously avoided; and I received a sort of word of command from Mr. Flint, as thus:—

'Keep that side, ma'am!'

"For a morning's ride, this might be complimentary, but it was here depriving me of the whip hand.

"I did not expect Mr. Flint to shake hands with me, that I understand being the common prelude to boxing.

"Element 3.—When my horse broke down in the terrible way he did, all the course must have witnessed the very hand-

some manner in which Mr. Flint brought me in, *i.e.*, *left me out*, by distancing me as much as he possibly could.

"If these should be received as precedents, the art of riding against ladies will be made most completely easy.

"Challenge.—After all this, I challenge Mr. Flint to ride the same match, in all its terms, over the same course next year, his horse, brown Thornville, against any one he may choose to select out of three horses I shall hunt this season.

"ALICIA THORNTON."

This was rather a severe slap in the face for poor Mr. Flint, who, after all perhaps, can only be charged with availing himself of every advantage offering to secure the victory himself, and which was nothing more than natural under the circumstances. Mrs. Thornton pours out the full vial of her wrath on her opponent's devoted head, but it certainly was hard that Mr. Flint's omission of the preliminary "shake hands," customary between members of the *corps pugilistique*, should be so prominently noticed as to form an *accusation* against him, when the very perpetration of the act, as she says herself, was not expected, and would have denoted vulgarity at the very least. The lady was doubtless somewhat chagrined at her defeat, and, as will have been seen, was eager to retrieve her lost laurels by challenging Mr. Flint to ride another race, when of course he would be expected to profit from the lesson he had received, and behave in a more gentlemanly manner, viz., forego in favour of the lady every vantage point during the race; and if the beast he himself bestrode was as much wanting in courtesy as its master and presumed to reach the winning goal first, that it was only

to be permitted to do so by the very shortest distance. Now, although Mr. Flint has been thus accused of want of respect and courtesy to the fair sex on this occasion, we doubt if the charge would apply to that gentleman's demeanour and behaviour generally towards them, and the following reply, which appeared in some of the public prints, shows neither deficiency in this respect nor inability to wield the pen in his own defence:—

"Flint, Respondent, to Thornton, Appellant.

"My *Pegasus* dull, has the honour and pride
To acknowledge your *elements* bright:
And first, tho' you hint that I took the *wrong side*,
The *end* of the *race* proved it *right*.

In *courtesy* next, you are pleased to suggest,
That I was deficient in *starting;*
But to *give you the lead* was clearly a test,
How *civil* I was at the *parting*.

I denied you a friend to *ride by* I confess,
And for why?—not for sake of the *pelf;*
But I wished to enjoy in a case of such bliss,
All that pleasure and honour *myself*.

Four-fifths of the race, you must candidly own,
You had the "*whip hand*," while behind,
I humbly pursued till your nag was broke down—
Then *before you to go* sure was *kind*.

But believe to the fair I am warmly inclined—
To be always *polite* I am ready;
Tho' my *horse was so rude* as to leave you *behind*,
I will ne'er *run away* from a *lady*.

To your challenge anew, I beg to reply—
When your Ladyship's made every bet,
I'll be proud to attend, the contest to try,
For the honour again of your *wit*."

At this point, we believe, hostilities ceased for a time, and we are not aware of any further proceedings relative to this match till the following year. Mrs. Thornton, it would appear, was not altogether daunted by her defeat on the occasion referred to; on the contrary, her sporting appetite seems to have been sharpened, for at the York August Meeting in 1805, we find this lady figuring in two more matches, both of which came off the same day. It is recorded that on the 24th of that month, in the first match which was for 2,000 guineas, h. ft., and four hogsheads of Cote Roti, as also a bet of 600 guineas, p. p. by Mrs. Thornton, that one of the parties to the match (Mr. Bromford) declining to ride, Mrs. Thornton cantered over the Knavesmire in most excellent style, accompanied by Colonel Thornton, and consequently, we presume, pocketed the 1,600 guineas, and also enriched the wine cellar. After this performance, which from the results must have been far more agreeable to the lady than the previous one, commenced a match in which Mrs. Thornton was to ride a mare, Louisa, against Buckle, the well-known Newmarket jockey, on Allegro—distance two miles, Mrs. Thornton carrying 9st. 6lbs., and Buckle 13st. 6lbs. On this occasion we are informed the lady jockey appeared dressed for the contest "in a purple cap and waistcoat, nankeen coloured skirts, purple shoes, and embroidered stock-

ings" (!) and that "she was in high health and spirits." The costume was certainly peculiarly striking in its colours if there was no great taste shown in the selection of them. However, let us to the race itself. The start took place at half-past three, when Mrs. Thornton obtained a lead which she managed to keep for some time. Buckle then wrested the lead from her, which, however, he only kept for a few lengths, "when Mrs. Thornton by the most excellent, we may truly say, horsemanship, pushed forwards, and came in in a style far superior to anything of the kind we ever witnessed, gaining the race by half a neck. The manner of Mrs. Thornton's riding is certainly of the first description; indeed, her close seat and perfect management of her horse, her bold and steady jockeyship, amazed one of the most crowded courses ever witnessed; and on her winning, she was hailed with the most reiterated shouts of congratulation."

On this occasion then, everything appears to have been completely *couleur de rose* with the lady; there was no want of "courtesy" to be complained of here, and if Mr. Flint failed to acquit himself as became his position on a former occasion, the Newmarket jockey behaved as a gentleman on this one; even supposing he would have won if he could, he had apparently sufficient delicacy, to judge from the closeness of the race, to have shaved the distance sufficiently fine in order to save some portion of the lady's credit. Up to this point in the day's proceedings, everything seemed to go smoothly and favourably enough for the Thornton interests, when in steps an ogre to upset all this plea-

santness, and again in the person of—Mr. Flint! From the "Annual Register" for the year 1805,* we are informed that at the races on that day, "a sad disturbance took place at the Stand in the afternoon, in consequence of a dispute between Mr. Flint and Colonel Thornton, respecting £1,000. Mr. Flint had posted the Colonel on Thursday, and the Colonel recriminated on Friday." It would appear as if the dispute at this period sprung from some more weighty matter than mere want of courtesy, and that the question now took something more of the shape of *£. s. d.*; any way we find the grievance complained of, whatever it was, removed from the person of the lady to that of the gentleman and former opponent, and the peculiar hardship of it we may suppose was instanced in the fact that Mr. Flint "applied a new horsewhip most vigorously to the Colonel's shoulders, and in the presence of a crowd of ladies." This proceeding on Mr. Flint's part we are further told, met with anything but applause, for "he was hissed and hooted at by the gentlemen present," and in the end he was arrested by order of the Lord Mayor and severa magistrates there present, and given into custody until he could find bail, himself in £1,000, and that of two securities of £500 each; and Colonel Thornton, moreover, was bound over to prosecute.

Looking at the whole of these extraordinary proceedings in which Mr. Flint bore a part, it certainly seems as if he was quite as much sinned against as sinning. His winning the race in the first instance was

* Vol. xlvii., p. 412.

apparently considered an ungallant proceeding, and one which he had no right to be guilty of under the peculiar circumstances of his opponent being a lady; and from what follows, it is pretty clear that the want of courtesy with which he was accused was subsequently made a pretext for withholding the prize or fruits of his victory, which in honour he ought to have received, and without any demur being made in handing it over. Again, from the "Annual Register" for the year 1806,* we learn that on the 5th of February in that year, an application was made in the King's Bench on the part of Colonel Thornton, for leave to file a criminal information against Mr. Flint for challenging him to fight a duel, and horsewhipping him on the race-ground at York the previous summer. From these legal proceedings it appears that the quarrel arose out of a bet of 1,500 guineas, which Mr. Flint claimed to have won of Colonel Thornton on the match he rode against Mrs. Thornton in 1804, and the bets on which were adopted by her husband. On the part of Colonel Thornton, it was maintained that with respect to the bets alluded to, £1,000 was a mere nominal thing, the purport being to attract company to the race, and that nothing more than 500 guineas was intended by the parties. After a full hearing of the case, Lord Ellenborough decided that it was not one in which their lordships ought to interfere; and that as Colonel Thornton had chosen to appeal to the Jockey Club, he should have abided by their decision. He had, however (continued his lordship), not found them exactly fitting his notion

* Vol. xlviii., p. 367.

of justice; and therefore, for everything that had happened since, he must resort to the ordinary mode of redress, viz., prefer a bill of indictment at the Sessions of the County. The rule was accordingly discharged, and this singular wager remained in abeyance, as far as the public were concerned, till 1808, when we learn from the "Times" of August 23, the case of Thornton *v.* Flint was once more tried at the York Assizes. From the statement of the plaintiff's counsel, it appeared the matter had been submitted for adjudication to some members of the Bar, and the cause would not have gone before the Court, had it not been for the obstinacy of the defendant, and his idle boasting that the plaintiff was indebted to him in considerable sums of money. But whatever damages the verdict might give, said the learned counsel, the plaintiff never expected to get a single shilling, as the defendant was at that moment in prison for debt. The defendant was not represented by counsel; and after a full hearing of the case, the judge directed the jury to find a verdict for the plaintiff, damages £500.

Whether Colonel Thornton ever got the amount of damages awarded, or any portion of them, we know not; but in 1814 or 1815, the Colonel left England for France, where he became domiciled, and where he died; but since writing the foregoing particulars of this match, and the circumstances following upon it, we have become aware of facts in connection with this Colonel, which proves him to have been something more, or worse, than an eccentric man. Mr. Orton * says

* "Turf Annals of York and Doncaster," p. 277.

that the "lady" who rode the match against Mr. Flint, was in truth a *chère amie* of the Colonel's, who assumed the name of Mrs. Thornton, and that her real name was Alicia Meynell. It appears she was the daughter of a respectable watchmaker of that name who lived in the city of Norwich. She is described as being at the time of the match about twenty-two years of age, very handsome, of a fair complexion, light hair, blue eyes, and very fascinating. There is no doubt whatever of the truth of Mr. Orton's statement, but if any proof were wanting, it is to be found in the particulars of an action tried before the Prerogative Court of Canterbury, in November, 1823; indeed, this trial discloses the fact that there was also another *fictitious* Mrs. Thornton who found favour with the Colonel as well as the one who made herself notorious by riding the match against Mr. Flint. From an account of the trial,* in which it was endeavoured on behalf of the real widow to set aside the will of her husband, it appears that the late Colonel Thomas Thornton had been a Lieutenant-Colonel of the 2nd Regiment of York Militia. We have before stated that he went to reside in France in 1815. In 1817, he applied for and obtained a right to domicile in and become a citizen of France, and that he continued to reside in and died in that country (at Paris) on March 10, 1823, but once in the meantime came over to England on business matters, one of which, from the date, appears to have been the making and

* See the "Times," November 28, 1823, for the trial of Curling *v.* Thornton; also same newspaper of the 16th, 17th, and 25th December, for same trial before the French Court, &c.

execution of his will, which bears date October 2, 1818; and finally it appears that at the time of his death, he had removed to France nearly all his moveable effects, and purchased an estate there, but he died in possession of considerable property in this country as well.

By the will the deceased is described as of Falconer's Hall, and Boythorp, in the East Riding of Yorkshire, and of Chambord and Pontleroi in France. The will gives to *Priscilla Duins* most of his property—she is allowed to select either of his houses in France or England to reside in, and to have the use of all furniture, &c. in such house, and an annuity of £500 a-year is also left her; and the will moreover provides for the maintenance and education of Thornvillia Diana Rockingham Thornton, his natural daughter by the said Priscilla Duins, &c. The will makes no provision for the lawful widow; but there are a few small legacies given, and amongst them one of £100 to Thomas Thornton, who is described as the "son of Mrs. Thornton."

The probate of this will was first opposed in France on behalf of the widow, on the grounds that by domicile and naturalization the testator's property must be disposed of as if he had been a Frenchman by birth, and that in such a case the laws of France would not permit a testator to deprive his lawful widow and child, by will, of the whole of his personal property, nor bequeath to his adulterous offspring and its mother an hereditary portion, and that consequently the said will must be held to be null and void, and the property, as

a consequence, should devolve by succession upon his widow and lawful child, the same as if the testator had died intestate.

The French Court in giving judgment upon the case took this view of the matter, and decided that the will was null and void, and condemned those who applied for probate in costs; but the judgment in the case given in the English Court as pronounced by Sir J. Nicholl was against the poor and unfortunate widow, and the most that the Judge could do on the occasion was to free her from the costs in the case, because the lawful widow and her son had been "excluded from a very large property."

With regard to Captain William Flint, Mr. Orton informs us that at the period of the match he was a sportsman of great celebrity; that he subsequently turned author, and published a treatise on the management of the horse; and subsequently dissipated by extravagance the whole of his property. During the latter part of his life he was in the habit of taking doses of prussic acid, as an antidote to spasmodic asthma, and on one occasion he unfortunately took so large a quantity as to cause his death, which occurred on the 7th January, 1832, at his lodgings in Castelgate, York. The work referred to by Mr. Orton as having been written by Captain Flint we have seen, and the same was published at Hull in 1815, and is entitled "A Treatise on the Breeding, Training, and Management of Horses, &c." The book contains a short introduction on the early history and use of the horse, and also very briefly alludes to the antiquity of horse-

racing, and the author then proceeds to show how a horse's age may be known by his teeth, remarks upon breeding, feeding, shoeing, the confirmation of a horse, of training hunters and other horses for the turf, as also of the diseases to which the horse is subject, and remedies for the same. There is also added a short treatise on Dogs, for the apparent reason that that animal "is in general the horse's companion;" and in an appendix there are remarks upon contracts for the sale and purchase of horses, Warranty, "of Lending and Borrowing Horses," of the "Law of Horses," of "Horse Stealing," &c., but in every case the subject is very briefly disposed of.

We have thus given all the particulars we have been able to glean respecting this celebrated match and the parties connected with it, and we have only to add that Colonel Thornton also turned author on one occasion, and published "A Sporting Tour through France," we believe in the year 1806.

We have but one more match to record here which was run on the Doncaster course on March 8, 1802, between Mr. Fletcher's bay mare, and Mr. Oswald's gray, in which the distance to be run was 100 miles, and for a sum of 1,000 guineas. The bay took the lead at starting, and went round the course the first time in 4 minutes. The first 10 miles were accomplished by both in about 38 minutes; and they covered 40 miles before they baited, when both changed riders. The bay mare, however, tired in the 68th mile, and its rider gave in, when the other finished at its leisure.

At one period, between forty and fifty years ago, the Doncasterians were much given to indulge in gambling transactions, quite irrespective of speculating upon horse-racing, as we gather from a gentleman (Mr. Baxter*) who resided in the town, and who took active measures to put down what he considered an evil to society in general, and a disgrace to the towu in particular; and although most people in the present day will agree with Mr. Baxter's ideas on the subject, it would appear that the Doncaster folks of the period spoken of entertained opinions the very opposite. Mr. Baxter's attention was first drawn to the subject in 1824, when during the races that year, he found there were forty or fifty different gambling houses in the town, and in the neighbourhood of the races, with men stationed at the doors, and passing up and down the streets, and without any secrecy whatever, stating the names of the parties in whose houses gambling was carried on; inviting passers-by to enter the houses as thus—"Walk in, Roulette;" "Walk in, Hazard" —and handing about indiscriminately, cards as follows:—

To Noblemen and Gentlemen.

ROULETTE,

Bank £1,000.

At MASON'S (the Tailor), Scott-lane.

* Evidence before Committee of House of Commons on Gaming, 1844.

Mr. Baxter tells us he indulged his curiosity so far as to enter nearly all those gambling houses, where he found play going on in all of them with cards, dice, balls, &c. And in addition to these gaming houses, there were hundreds practising thimble-rig, not only upon the race-course itself, but in all parts leading to it. Mr. Baxter was no doubt shocked at such bare-faced gambling proceedings, as well he might be; and as the authorities in no way noticed or attempted to interfere in the matter, he himself laid an information against one of the proprietors in 1827, but failed in obtaining a conviction. The following year, the evil still existing, he represented the matter to the local authorities, and as a consequence, twenty or thirty of the gentlemen of the town and neighbourhood joined an association for the suppression of the evil, and endeavoured to push the authorities to take legal steps to repress it. This, however, was anything but an easy matter, and caused an *émeute* in the town. A meeting of the *faithful* was called, and speeches made against the "Anti-Gambling Association." Mr. Baxter, it appears, was courageous enough to attend this meeting, and told them, frankly, his mind upon the matter, and we are not at all surprised to learn that he was "very warmly received" thereat. "They heard me for some little time," says Mr. Baxter, but the chairman refused to let him go on; and "when I left the meeting, I had the honour of being pelted down the street on my way home, as a recompense for the advice I had taken the liberty of tendering them." After this corresponding piece of frankness on the opposition side, we learn that

the association fell to pieces, and the members of it would have nothing further to do in the matter. However, this state of things could not go on for ever, and the Lord Lieutenant and others bestirring themselves to abate the evil, the result was that in 1829, all the gambling houses, with the exception of two or three of the larger ones, were put down. At the same time, steps were taken to abolish the thimble-rigging on the race-course, but it appears these gentry had as much aversion to having their ancient privileges interfered with, as King John had inclination to grant the Barons Magna Charta. The police attacked them, but the thimble-riggers armed themselves with sticks, repulsed the police, and bid them defiance. The fortune of the day was, however, decided by a grand charge made by several noblemen on horseback, who broke and dispersed the thimble-men, and many of them were taken into custody. From that day, says Mr. Baxter, down to the present time (1844), gambling in the town has varied according to the character or opinion of the chief magistrate, viz., the Mayor. The vice, however, continued to be indulged in, more or less: the magistrates are greatly disinclined to put it down; and, in fact, in Mr. Baxter's opinion, there was a combination of persons, from the magistrates downwards, to connive at gambling in the town of Doncaster.

With this we bid adieu to the sporting county of York. We have seen how well supported and encouraged the pastime of horse-racing has been from

its very commencement, and to judge by the same support, &c., accorded in the present day, there is every prospect that the great northern meetings held in this county, will long continue to rank as one of the foremost in the principal race gatherings of the year.

CHAPTER III.

Newmarket: early institution of races at; particulars of the place in early times; Charles II.'s great patronage of the place.—Charles II. starting for Newmarket; his Majesty at these races.—Celebrity, &c., of Newmarket.—Original articles for Town Plate in Charles II.'s time.—Fire at Newmarket, and Rye House Plot.—Description of Newmarket races, in 1753.—Riding in colours.—Extraordinary matches.—The Palace built by James I. at Newmarket.—Statistics of these races.

ALTHOUGH many of the principal race-meetings held in the course of the year, such as Chester, Epsom, Doncaster, Ascot, &c., take rank before the one we are now going to describe, both in respect to the value of the prizes run for, fashionable and numerous attendance, and interest of the general public, or those we may denominate simple pleasure-seekers rather than genuine sportsmen, yet Newmarket is held first in estimation by the *habitué* of the Turf, who regards it as head racing quarters in a professional point of view.

"Newmarket," says Mr. Whyte, "may truly be styled the classic ground of racing, and it is here only that this delightful sport may be said to exist in perfection. No crowd, no booths impede the view; none of those discordant sounds which make a perfect Babel of other race-courses distract the attention. The number of spectators seldom exceeds 500, and they are mostly of the highest classes, the majority on horse-

back, with, perhaps, a few close carriages and barouches, for invalids and ladies."*

To the non-professional man, its meetings are about the most cheerless of any held during the whole twelve months; and although racing has been continually practised there for very many years, it would seem from the general aspect and appearance of Newmarket heath at race time as if it had been a complete failure compared with others, and had been unsuccessful in making any progress whatever in those concomitants to be met with on other race-courses: Newmarket has no grand stand. There is no crowd, bustle, shows, and general confusion which is so prominent a feature elsewhere. There is no permanently fixed winning post, but the distance to be run in any race is determined by the Judge's Chair being wheeled about from point to point on the course, and thus the spectators are necessitated to a sort of erratic performance in witnessing the several contests. The presence of the fair sex, which elsewhere, in greater or less numbers, impart a beauty, charm, and diversity to the scene, is here nearly altogether wanting; and in fact the proceedings generally are about as dull and uninteresting as they possibly could be to the majority who attend races, excepting always the professional racing and betting man.

The earliest period at which horse-racing was practised at Newmarket was, as we have before stated, in the reign of James I., who permanently established the meetings and first attended in person in the third year of his reign, viz., in the year 1605, and from that

* "History of the British Turf," vol. i., p. 208.

date Newmarket seems to have been the spot most distinguished for the frequency of the sport and Royal patronage accorded, as also in having retained its racing celebrity down to the present time. Some of the earliest public races known—but none of them previous to the reign of James I.—were held at Garterly in Yorkshire, Theobald's in Enfield Chace, and Croydon in Surrey; but where are these meetings now? Beyond the mere record of the fact, there is scarcely a trace of them to be found; their existence must have been a short-lived one, and their popularity even when in existence but poor, else we should find more particulars respecting them than is to be met with. But to return to Newmarket. Soon after the patronage of James I. had established its racing celebrity, the reputation of the town was further increased from the circumstance of some of the horses which were cast upon the coast of Galloway from the wreck of the Spanish Armada having been brought here, and doubtless they must have been raced as we find their swiftness noted;* and thus, from more causes than one, the principal southern meeting made good progress during the whole period that King James was on the throne. But with the accession of Charles I., and the civil war that followed in this reign, a stop was put to its progress, and racing was for a time discontinued there.

This interruption, however, was neither to be of very long duration, nor yet to be attended with any serious effects as regarded the future prestige of Newmarket,

* Lewis's "Topographical Dictionary," vol. iii., p. 367; and "Topographical Beauties of England and Wales," vol. ii., p. 139.

for whatever it may have lost during the reign of Charles I., was replaced at the Restoration, and revived with additional vigour and splendour from the moment that Charles II. was placed upon the throne. The "merry monarch" was a frequent attendant at the Newmarket Races, and was often accompanied by his Court; and we have already alluded to the palace—and of which more anon—and stables he built, and the stud he kept there, as also the great interest with which he regarded the pastime. Mr. Lawrence* mentions that at one time there was to be seen upon the top of the hill on Newmarket heath what was termed the "King's Chair," from which Charles II. used to enjoy a view of the horses as they took their exercise. He also adds, that it was formerly customary with persons attached to the Turf to visit that part of the heath annually, on a certain day in the spring, for the purpose of seeing the horses take their gallop up to the King's Chair, on which occasions both horses and lads were decked out in new clothes. It is true this ceremony has been obsolete for many years, but the record of it is a reminiscence of one of Newmarket's former glories.

In illustration of our remarks we may add that in the year 1790, a print was published by J. Bodger, of No. 53, Holborn, being a picturesque view of Newmarket, showing the trains of running horses belonging to different noblemen, &c., taking their exercise. The print contained upwards of 200 figures, and the view was taken from the King's Chair, on Warren Hill.

* "The Horse," by John Lawrence, p. 300.

The price of the print was, coloured 1 guinea, plain 10s. 6d., and 7s. 6d. This print, says Druid,* was the popular one of the period: "the Warren Hill is the scene of the afternoon's revel. Quiet little Newmarket just peeps forth in the hollow, in the centre of that restless panorama, and in the far distance the Ely Minster turrets cut the cloudless sky, and struggle manfully for pre-eminence with Highflyer Hall. In the fore-ground is the Prince," &c., "standing up in his phaeton, and booking a bet with the shrivelled Duke of Orleans, on horseback at his side. His brother, 'York,' has alighted, and is gaily pointing out to 'a lady'—as the key observes—a long sheeted string, which are, West Australian fashion, cutting down the Warren Hill like a sithe, in the direction of King Charles' cupola chair," &c.

From some cause or the other, Charles II. seems to have singled out Newmarket as his favourite racing locality, as he attended there much oftener than any other place, although races were frequently held in many other parts of the kingdom at this period, and were common enough on Banstead Downs in his reign, which place it would be imagined would have had a preference, if only on account of the distance being less, although at this period, and for very many years afterwards, the journey from London to Epsom even occupied twelve or fourteen hours in the performance of it.

The fact of Charles II. being particularly addicted to horse-racing, might almost be inferred from meeting so

* "Silk and Scarlett," p. 86.

often in conjunction with the words "King" and "Newmarket," in the written records of his time, and in following up the clue thus afforded, we gather a tolerably accurate idea of the share accorded to the pastime by this monarch, and also of the progress the sport made in this particular locality. For example, in Pepys' "Diary" of May 22, 1668, it is stated that, "the King, and Duke of York, and Court, are at this day at Newmarket, at a great horse-race."* And again, under date March 7, 1669, Pepys says, "I hear that the King and the Duke of York set out for Newmarket by 3 in the morning, to see some foot and horse-races." It would appear from this, that our forefathers rose somewhat earlier than their descendants of the present day, but just fancy Royalty, above all, setting out at three in the morning! The passion of the "merry monarch" for the sport must have been pretty strong to have surmounted the inconvenience attendant upon the indulgence of it; and it would appear that however fickle Charles may have been with his mistresses, he was at least steady and sincere in his attachment for the Turf. A journey to Newmarket, at that period, even when performed by a King, was not the quick and pleasant run down of the present day. Let us start with the King, and see the style in which majesty set out "for the races" in the year 1669, close upon two centuries ago, and for this purpose we must refer again to friend Pepys, who, in his "Diary" of March 8, says, "To White Hall, from whence the King and the Duke of York went by 3 in the morning, and

* Vol. iii., p. 448.

had the misfortune to be overset with the Duke of York, the Duke of Monmouth, and the Prince Rupert, at the King's Gate in Holborne; and the King all dirty, but no hurt. How it came to pass I know not, but only it was dark, and the torches did not, they say, light the coach as they should do." We do not know for certain whether the King, despite this "upset," persevered on the occasion and reached his sporting quarters, although there is no doubt he did; but we opine that the crowds which are to be found at the races in the present day would be considerably thinned, if only one half such difficulties had to be overcome in getting there as King Charles met with on this occasion. There can be no doubt of the "merry monarch's" partiality for horse-racing—the fact is evident enough by the frequent journeys made from London to Newmarket: had the object of them been mere ordinary pleasure, there were elements sufficient to constitute any amount at the Court itself and in the purlieus of London, without going to a, comparatively speaking, out of the way place, and encountering all kinds of inconveniences to seek it. Only a few weeks after the late mishap, viz., April 26, Pepys again informs us that "The King and Court went out of town to Newmarket this morning betimes, for a week." This looks as if it was another three o'clock A. M. journey; we hope that the "torches" which lighted the Royal coach upon this occasion performed their duty more efficiently than they did on the last.

We have seen the King start for the races, now let us take a peep at his Majesty on Newmarket Course—

the doing so will afford a pretty good idea of the mode in which the races were conducted at that period. In the Duke of Tuscany's "Journal of his Travels in England," we find an account of some racing that took place at Newmarket on May 9, 1669, at which both the King and the Duke of York were present, and of which Tuscany's Duke thus speaks:—"The race-course is a tract of ground in the neighbourhood of Newmarket, which, extending to the distance of four miles over a spacious level meadow, covered with very short grass, is marked out by tall wooden posts, painted white. . . . . The horses intended for this exercise, in order to render them more swift, are kept always girt, that their bellies may not drop, and thereby interfere with the agility of their movements; when the time of the races draws near, they feed them with the greatest care, and very sparingly, giving them for the most part, in order to keep them in full vigour, beverages composed of soaked bread and fresh eggs." Thus much of some of the preliminaries, but we may remark here, that our Italian informant must have been somewhat ignorant of the appurtenances belonging to the horse and their particular uses, when we find him speaking of the *girth* being put on with the object "that their bellies may not drop!"

But now to a description of the race itself, for which he says, only two horses started, led "by the men who were to ride them, dressed in taffeta of different colours," one of which was "white," and the other "green." He then describes the running, and says that the horses were held in at the beginning of the

contest that "their strength" might not fail them "at the more important part of the race; and the farther they advanced in the course, the more they urged them, forcing them to continue it at full speed." The King and his retinue, it appears, had taken up a position on the course on horseback, in order to see the race, and when the horses arrived at this point, the latter "set off after them at the utmost speed," and arriving at a short distance from the winning post, waited "the arrival of the horses, and of his Majesty, who came up close after them with a numerous train of gentlemen and ladies." The race having been run, we are informed that "trumpets and drums, which were in readiness for that purpose, sounded in applause of the conqueror, which was the horse of Sir — Elliot," or that one whose rider's colours were green. We presume the racing, for that day at least, was over, as he tells us that "his Majesty, being very much heated, adjourned to his house, accompanied by his Highness, and by the greater part of the gentlemen who had come to see the race."

Even in the early period of which we are writing, it would appear that the celebrity Newmarket had obtained on account of its races and race-horses was not undeserved, for John Evelyn in his "Diary" of July 20, 1670, says, "We went to see the stables and fine horses, of which many were here kept at a vast expense, with all the art and tenderness imaginable."* And again, "Having after dinner, ridden about that vast level, pestered with heat and swarms of gnats, we

* Vol. ii., p. 48-9.

returned over Newmarket heath, the way being mostly a sweet turf and down, like Salisbury Plain, the jockeys breathing their fine barbs and racers, and giving them their heats."

It is impossible to gather either from history or any other written records of the time, how often Charles II. attended Newmarket during his reign, but from the pages of Evelyn's "Diary," under date the 9th and 10th October, 1671, we find the King again present at the races there in that year, and the circumstance is thus alluded to: "I went after evening service to London, in order to a journey of refreshment with Mr. Treasurer, to Newmarket, where the King then was, in his coach with six brave horses, which we changed thrice, first at Bishop Stortford, and last at Chesterford; so, by night, we got to Newmarket, where Mr. Henry Jermain (nephew to the Earl of St. Alban's) lodged me very civilly. We proceeded immediately to Court, the King and all the English gallants being there at their autumnal sports. Supped at the Lord Chamberlain's; and, the next day, after dinner, I was on the heath, where I saw the great match run between Woodcock and Flatfoot, belonging to the King, and to Mr. Elliot of the Bedchamber, many thousands being spectators; a more signal race had not been run for many years." No doubt during the period that the Merry Monarch ruled over England's destinies, Newmarket was a right royal place for revelry of all sorts as well as racing: Charles often took many members of the Court down there with him, including many of the ladies belonging to it, conspicuous amongst whom

was poor and kind-hearted Nell Gwynne. We are not possessed of details of any of the various scenes enacted there by the Merry Monarch and his roystering Court and attendants, and perhaps for the sake of modesty, it is well they are buried by time and oblivion, for they do not appear to have been governed by much fastidiousness either in the nature or enjoyment of their pleasures: "Quitting Euston," says Evelyn in his "Diary" of October 21, 1671, "I lodged this night at Newmarket, where I found the jolly blades racing, dancing, feasting and revelling, more resembling a luxurious and abandoned rout than a Christian Court."

In connexion with Charles II. and the races at Newmarket, the following articles respecting the Original Town Plate run for here, and which, as will be seen, were framed in his reign, are somewhat of a curiosity in the present day :—

"Articles ordered by his Majestie to be observed by all persons that put in horses to ride for the Plate, the new Round-Heat, at Newmarket, set out the 16th day of October [1664] in the 17th year of our Sovereign Lord King Charles II. Which Plate is to be rid for yearly, the second Thursday in October, for ever :—

"*Imprimis*.—That every horse, mare, or gelding that rideth for this prize shall be led out between eleven and twelve of the clock in the forenoon, and shall be ready to start by one of the same day.

"*Item*.—Every horse that rideth shall be bridled, saddled and shod, and his rider shall weigh twelve stone, fourteen pounds to the stone; and every rider that wanteth above one pound and a half after he hath rid the heat, shall win no plate or prize.

"*Item.*—Every horse that rides the new Round Course three times over (set out the 16th day of October, in the 17th year of King Charles II.) on the outside of the Ditch from Newmarket, leaving all the posts and flags the first and last heats on the right hand, and the second on the left hand, starting and ending at the weighing post, by Cambridge-gap, called Thomond's Post.

"*Item.*—Whatsoever horse rideth willingly, or for advantage, within any of the said flags, shall win no plate or prize, but lose his stakes, and ride no more; but if he be thrust by any horse against his will, then he shall lose only the heat; provided he keeps all the rest of the flags, and come within distance.

"*Item.*—It is allowed for any horse to be relieved at the discretion of the owner at the end of each heat, and every horse shall have half an hour's time to rub between each heat.

"*Item.*—Whosoever doth stop or stay any of the horses that rideth for this plate or prize; if he be either owner, servant, party or bettor, and it appears to be willingly done, he shall win no plate, prize or bets.

"*Item.*—Every rider that layeth hold on, or striketh any of the riders, shall win no plate or prize.

"*Item.*—If any horse, &c., shall fall by any mischance, so that the rider be dismounted, and if he does his best afterwards to get in within distance, and ride fair (which shall be determined by the judges of the field), he shall only lose the heat.

"*Item.*—Any of the judges may weigh any of the riders at the end of any of the heats; and if he be found to have fradulently cast away any of his weight, and want any more than his pound and a half, he shall lose the plate, prize, and stakes.

"*Item.*—If any difference shall be about riding for this plate, which is not expressed in these articles, it shall be re-

ferred to the noblemen and gentlemen which are there present, and being contributors to the said plate, but more especially by the Judges, the Judges being to be chosen every time the plate or prize is to be run for by the major part of the contributors that are there present.

"*Item*.—Every horse that winneth three heats shall win the plate or prize, without running the course.

"*Item*.—Every horse that runneth for the plate or prize shall put in three pounds, except it be a contributor's horse, and then he shall put in forty shillings.

"*Item*.—Whosoever winneth the plate or prize shall give to the Clerk of the Course twenty shillings, to be distributed to the poor on both sides of Newmarket, and twenty shillings to the Clerk of the race; for which he is to keep the course plain and free from holes and cart roots.

"*Item*.—The Clerk of the race is to receive the stakes before any horse starts, and is to deliver it to the tenant for the time being, who is to give sufficient security, not only for his rent, but likewise to add such stakes to the ensuing plate or prize the next year.

"*Item*.—Every horse, mare, or gelding, that rideth for this plate or prize, shall likewise deposit twenty shillings for every heat, which the winning horse shall have; and the last horse of every heat shall pay the second horse's stakes and his own, which stakes are likewise to be deposited into the Clerk of the race's hands before the horses start, to pay the winning horse his stakes every heat, and likewise twenty shillings to the second horse, to save his stakes; but if there runneth but two horses, then no stakes to be run for but what is to add to the next year's plate.

"*Item*.—No horse that winneth not one of the three heats shall be permitted to come in to run the course.

"*Item*.—The plate or prize is to be run for the second Thursday in October, every rider carrying twelve stone weight, at fourteen pounds to the stone, besides bridle and

saddle; and if any gentleman that rides shall desire to carry weight in his saddle, he shall have the liberty provided he allows two pounds to the rest for the weight of their saddle.

"*Item.*—The Clerk of the race is to summon the riders to start again at the end of half-an hour by the signal of drum, trumpet, or any other way, setting up an hour glass for that purpose.

"*Item.*—No man is admitted to ride for this plate or prize that is either serving-man or groom.

"*Item.*—Those horses that after the running of the three heats shall run the four mile course, shall lead away, and start within an hour-and-half, or else to win no plate or prize."

These articles are copied exactly as they stand in the "Annals of Sporting," * and the only doubtful point about them is the date, which is given as 1664, and stated to be the 17th year of Charles II.'s reign, which is evidently a mistake, as that would be the 5th year of his reign, and probably one of the editor's, as the year being put within brackets looks as if it was an interpolation. No authority is cited in proof of the document being a genuine one, but taking all circumstances into consideration, there is no reason whatever to be sceptical as to its validity, and the only alteration requisite to remove it beyond all question, is to place and read the year 1676 in lieu of that of 1664.

It will be noticed that the foregoing articles contain some curious phraseology. Thus, in the very first one, it would certainly appear as if the quadruped, and not the biped, performed the functions of jockeyship,

* Vol. x., p. 269.

although of course we know such an act would not only be preposterous but also impossible. The next "item" in like manner conveys the same impression to a certain degree, and we can only imagine that sporting or racing habits in those days must have been very loose, when it was considered necessary to enforce by a stringent regulation, that "every horse that rideth shall be bridled, saddled, and shod." Again, the third "item" is a prohibition against running out of the course, the doing which puts the horse out of the race same as in the present day; but it seems somewhat superfluous to remark of the same being done "willingly, or for advantage," when no one would suppose for a moment that unless a horse bolted and usurped his rider's powers and inclination, that it would be done in any case where the result would be likely to end in a disadvantage. But however curious the wording may be in some places, one thing is very evident, viz., that the whole was constructed upon fair and honourable principles. For instance, in the fifth "item," anyone acting unfairly by stopping the progress of any horse in the race, is debarred from winning either the prize run for or any bets made upon it. The succeeding "item" also prohibits foul play on the part of one jockey towards another—a circumstance all the more noticeable from the fact that for very many years after this period, this unfair practice was allowed by the rules of the Jockey Club; and so common was the practice, that in all articles for matches, "crossing" and "jostling" was always understood to be permitted in the race, unless specially provided

therein to the contrary. The twelfth "item" is worthy of notice on account of the charity shown in providing some help for the needy by a contribution from the winner of the prize of "twenty shillings, to be distributed to the poor on both sides of Newmarket." The clerk of the course also received the like amount for keeping the course in order, "and free from holes and cart roots."

From these articles it would appear as if in those days the race-course at head quarters was not marked out with stakes, &c., as in the present day, although the Duke of Tuscany says that the race-course, in distance four miles, was "marked out by tall wooden posts, painted white," but that the course to be run was pointed out with *flags* in a similar manner as we now see in a steeple-chase course.* Another circumstance to be noted also, is that of the horses being summoned for starting by sound of *drum* or *trumpet*, which instruments were also called into requisition at the *end* of a race, and "sounded in applause of the conqueror," according to the Duke of Tuscany's description of the races held here, and quoted in a former page. When this custom became obsolete and first superseded by the present method we know not, but it appears to have been in general use for many years subsequent to the reign of the second Charles, as in a work published in 1795† (George III.), the author

* In an old Sporting Almanack for 1794 under a list of *Places* under the Jockey Club, we find one of them thus designated: "James Fisher, Porter at the Duke's Stand and Coffee House Gate, and 18 pole-men, to assist in keeping the course clear."

† "The Complete Sportsman," by J. Fairfax, p. 62.

in giving some particulars respecting a race to be run, says, "we will only here suppose a horse set to run for a plate, and that the hour of starting is at hand, when the drums beat or the trumpets sound, according to the custom of the place where you run, to give notice for stripping and weighing."

We have seen that on one occasion his Majesty was "spilt" in going to the races, and we have to state that on Thursday, March 22, 1683, the king was "burnt out," when there. On this day, it appears, being the time the races were held, and at which the King, Queen, and Duke of York were present, the Palace at Newmarket caught fire, which caused their hasty return to London. It is generally believed the fire was accidental in its origin, but to this (as it turned out) providential circumstance, and consequent sudden return of Charles, is attributable the defeat of the Rye House Plot, which, whether real or pretended in its designs as a conspiracy, is said to have meditated the assassination of Charles II. and his brother the Duke of York,* at a place called Rye House on the road to London from Newmarket, and which plot was arranged to have been carried out eight days after the royal party thus unexpectedly left Newmarket for London. This fire destroyed property in the town of Newmarket, to the extent of about £20,000; and the alarm of those in the neighbourhood, and the movements of the King, as occasioned by the sudden conflagration, we find thus recorded: "About nine in the evening, a great fire broke out at Newmarket, where

* Afterwards James II.

the King, the Queen, and the Duke of York were residing in the King's house, situate on the Cambridgeshire side of the town. The fire broke out on the Suffolk side, but the other side being in danger, it was resolved that the King and his court should that night come to Cambridge, and accordingly word came to the Vice Chancellor about one of the clock on the Fryday morning, who immediately gave orders for great St. Mary's Bells to jangle to give notice to the Towne, and Candles, &c., to be in all places alight, and accordingly the Bells did jangle, and Candles in abundance in all parts of the public Streets on both sides in their windows lighted, and the King and Court accordingly expected. But between two and three in that morning, there came the Lord Grandison to the Dolphin and acquainted Mr. Mayor that his Majesty would go or was gone to Cheavely and not come to Cambridge; but his Majesty did not stir from Newmarket but continued there all night and went away from thence not till Monday following, being the 26th March, 1683." * We see what a rumpus a fire caused in those days in a town some miles distant from the spot where it was burning, because the King and Court were in the neighbourhood of it. Of course we cannot but admire the loyalty shown by the citizens in endeavouring to throw a light upon the royal path on this occasion; but how Englishmen would grumble and growl in the present day if they were roused up in the dead of the night on account of the bells being ordered to "jangle"

* Cooper's "Annals of Cambridge," vol. iii., p. 598.

because a fire had broken out some miles off, and in addition have to expend tallow in illuminating.

It often happens that fortuitous circumstances, trivial in themselves, have either led to or frustrated more important designs, and, in all probability, Charles was indebted for his life to this accidental fire. The plot of the conspirators was marred in its operation by means of the fire, and, in this sense, a good effect resulted from what, in other respects, was a sad calamity; but, on the other hand, Newmarket itself was very near being deprived of King Charles's patronage and its own racing celebrity from the same cause. The King, very naturally, was alarmed at this plot against his life: however careless a man may be respecting matters in general, it may be considered as a rule that he has some regard for the safety of his own person, and it is therefore not at all surprising that henceforth his Majesty was somewhat shy of the locality, and had in view another spot to which his favourite pastime of horse-racing was to be transferred from Newmarket, and where the point of distance from the neighbourhood of the late plot rendered the indulgence of it a seeming matter of greater safety for the future. How very near Newmarket was becoming bankrupt in racing interests and renown we learn from Evelyn, who, in his "Diary" of Sep. 23, 1683, says, "There was this day a collection for re-building Newmarket, consumed by an accidental fire, which, removing his Majesty thence sooner than was intended, put by the assassins, who were disappointed of their rendezvous and expectation by a wonderful providence.

This made the King more earnest to render Winchester the seat of his autumnal field diversions for the future, designing a palace there where the ancient Castle stood; infinitely indeed preferable to Newmarket for prospects, air, pleasure and provisions. The surveyor has already begun the foundation for a palace, estimated to cost £35,000, and his Majesty is purchasing ground about it to make a park."* However, Newmarket did escape the threatened calamity—royal palaces and parks are not built and laid out in a few weeks, as the nation knows to its cost, and Charles II. died in February, 1685.

The occasion to which we have just alluded was the only one, that we are aware of, in which the sporting interests of Newmarket were ever seriously threatened, but it would appear as if, on one or two other occasions, its proximity to the University was more often taken advantage of by the students than was considered right or proper for their scholastic advancement. In the remedies applied, however, to cure the evil, neither Newmarket nor its races were in any way attempted to be interfered with, but the antidote for the bane was given the scholars themselves to swallow. It may perhaps be thought that the instances we are going to relate, are somewhat irrelevant to the main matter of this work, but if so, it will at least afford some information, not only of the habits and manners of the Cam-

* In Moody's "Sketches of Hampshire," it is stated that Sir Christopher Wren was appointed Architect; the first stone of the new palace was laid in the early part of the year 1683; that the building was carried on with spirit until the King's death put an entire stop to it; and that, after being several times used as a prison, was converted into a permanent barrack in 1810.

bridge scholars of the time, but also give us an idea of the general amusements and sports as indulged in; and that whatever may have been said of the bad examples which horse-racing offered, there were other sports of a far more vicious character, which were eagerly sought and practised for amusement by the youth of the age. Thus we find that it was found necessary, in the reign of James I., to curb the propensity of the Cambridge scholars for indulging in certain sports, and that monarch accordingly issued a letter, dated July 23, 1604, "prohibiting all idle games, plays, and shows, in the University and town of Cambridge, and within a compass of five miles therefrom," for the greater quietness of the University and the students, and also to prevent the alienation of the latter from their studies. The sports prohibited, are designated as "especially bull-baiting, bear-baiting, common plays, public shows, interludes, comedies and tragedies in the English tongue, games at loggets, nine-holes, and all other sports and games, whereby throngs concourse or multitudes are drawn together, or whereby the younger sort are or may be drawn or provoked to vain expense, loss of time, or corruption of manners," * but the accustomed exercises within their several colleges, were not to be prohibited. It would appear also as if the students of this University were of old somewhat reckless in general demeanour and decorum, as the following order would indicate, and which was issued for the regulation of the Cambridge scholars on the occasion of Charles I.

* Cooper's "Annals of Cambridge," vol. iii., p. 6.

and his Queen leaving Newmarket for the purpose of visiting the University, March 22, 1631. The order runs thus:—"Item, that no tobacco be taken in the Hall, nor any where else publicquely, and that neither at their standinge in the streets, nor before the comedye begin,* nor all the tyme there any rude or immodest exclamations be made; nor any humming, hawking, whistling, hissing, or laughing, be used, or any stamping or knocking, nor any other such uncivil or unscholar-like or boyish demeanor upon any occasion; nor that any clapping of hands be had untill the Plaudite, at the end of the comedye, except his Majesti, the Queen, and others of the best qualitie here do apparently beginne the same." † This order is a curiosity in itself; and had the Royal visitor been the second instead of the first Charles, we should have imagined that the jovial or free and easy character of the monarch had spread like an infection amongst a portion of his subjects, but the conceit will not apply to Charles I. We have one more order, of a similar nature to the first, to relate, which was issued so late as the year 1825, when it being found that "several members of the University having been in the practice of horse-racing in the neighbourhood of Cambridge, Dr. Le Blanc, Vice-Chancellor, on the 16th May, published a cautionary notice, that persons, in *statu pupilari*, found guilty of riding any such race, or betting upon, or being present at any such race, would be

* There were two comedies acted before the King and Queen on this occasion.

† Cooper's "Annals of Cambridge," vol. iii., p. 250.

proceeded against and punished with the utmost severity."*

The following description of Newmarket Races written by the Earl of Bath in 1753, will afford the reader some insight into the nature of the racing and general aspect of the place at the date named:—

"When the horses are in sight, and come near Choak Jade, immediately the company all disperse, as if the Devil rose out of his ditch and drove them, to get to the turning of the lands, or some other station for seeing the push made. Now the contention becomes animating: 't is delightful to see two, or sometimes more, of the most beautiful animals of the creation, struggling for superiority, stretching every muscle and sinew to obtain the prize and reach the goal! to observe the skill and address of the riders, who are all distinguished by different colours of white, blue, green, red, or yellow, sometimes spurring or whipping, sometimes checking or pulling, to give fresh breath and courage! And it is often observed that the race is won as much by the dexterity of the rider, as by the vigour and fleetness of the animal.

"When the sport is over, the company saunter away towards the Warren Hill, before the other horses, left at the several stables in the town, are rode out to take their evening exercise and water. On this delightful spot you may see at once above a hundred of the most beautiful horses in the universe, with the grooms and boys upon them, in their several liveries, distinguishing each person of rank they belong to. This is, indeed, a noble sight; it is a piece of grandeur, and an expensive one too, which no nation but our own can boast of. To this the Crown contributes, not only by a very handsome allowance for keeping horses, but also by giving plates to be run for by horses and mares at different ages, in order

* Cooper's "Annals of Cambridge," vol. iv., p. 546.

to encourage the breed, by keeping up the price of them, and to make the breeders extremely careful of their race and genealogy.

"The pedigree of these horses is more strictly regarded and carefully looked into than that of a knight of Malta: they must have no blemished quarter in their family, on either side, for many generations; their blood must have run pure and untainted from the great—five times great grandsire and grandam, to be attested in the most authentic and solemn manner by the hand of the breeder. It is this care of the breed, and particularly with an eye to their strength, that makes all the world so fond of our horses. Many thousands are carried out of England every year; so that it is become a trade of great consequence, and brings a vast balance of money to this country annually. The French monarch* rides no other horses but ours in his favourite diversion of hunting. You may, at any time, see two or three hundred beautiful English geldings in those great and noble stables at Chantilli. Most of the German Princes, and many of their nobility, are desirous of having English horses; and, I dare say, his present Majesty of Prussia,† however military his genius may be, had rather mount an English horse, at a *review* of his troops, than a *breach* at any siege in Europe."‡

It may as well be noted here the riding of the jockeys in colours at this period, as mentioned by the Earl of Bath in the above description, and we may also point to a similar allusion, made a few pages back, in the Duke of Tuscany's account of the races on this spot much earlier still, viz., in 1669. The practice, then, appears to have been common enough in the ear-

* Louis the XV. He was passionately given to field sports.
† King Frederick III.
‡ "The World," vol. i., no. 17.

liest periods of the pastime; and we presume the following "order"—which is of a much later date, though the earliest notice on the subject we can find—was more for the purpose of perfecting than originating a custom:—

"To prevent disputes, and as a convenience for distinguishing the horses in running, it was agreed at a meeting held at Newmarket, 4th October, 1762, by the Dukes of Cumberland and Grafton, Lords March and Grosvenor, Mr. Vernon and Mr. Shafto, that certain colours, specified and annexed to their names, should in future be worn by their respective riders. This regulation was carried into effect in the second October meeting of the same year."*

As may be surmised, Newmarket has been the scene of many very extraordinary matches, of which we will here relate a few. On May 3, 1758, a young lady named Pond, a daughter of Mr. Pond, the publisher of a Racing Calendar bearing his name, undertook, for a wager of 200 guineas, to ride 1,000 miles in 1,000 hours, which feat was actually accomplished in little more than a third of the time.† Dr. Johnson made this match the subject of a satirical essay in the 6th number of the "Idler" for May, 1758, in which he avers that the age was one in which *profit* was the sole end in acquiring honour or distinction, and that the event of every undertaking was calculated "only by the money that is ganied or lost" thereon. In 1759, a match against time was performed on Newmarket

* "Sporting Annals," vol. viii., p. 220.

† Hone's "Year Book," p. 538. This must be a mistake—it should have been *two*-thirds, not one-third, of the stipulated time.

heath, by the terms of which Jennison Shafto, Esq., was to ride 50 miles in two successive hours, the rider to have as many horses as he pleased to do it with, and the task was accomplished on the 27th June in 1 hour, 49 minutes, and 17 seconds, with 10 horses. The full particulars of this match, including the names of the horses, the umpires, and certificate of its having been done in the time stated, are given in one of the old "Sporting Magazines." * In 1761, the same gentleman made a bet of 2,000 guineas with H. Meynell, Esq., that he would find a person who who should ride 100 miles a day (on any one horse each day) for 29 days together, and to have any number of horses not exceeding 29 for the accomplishment of the task. The person selected was a Mr. Woodcock, who started from Newmarket heath at 1 o'clock, A. M., on the 4th May, and finished on the 1st June following, about 6, P. M., having only made use of 14 horses.† In the course of Mr. Woodcock's performance, two of the horses he rode tired when he had nearly completed his day's work, so that on those two occasions he had to ride nearly *double* the number of miles stipulated. The ground he passed over was from the Hare Park to the Ditch, which was made 3 miles; from thence he went a 3 mile course round the Flat, on that side the Ditch next to Newmarket. Mr. Woodcock started very early in the morning in order to avoid the heat of the day, and on this account the distance he traversed was marked by posts with lamps to light him on the way. At the

* For the year 1804, vol. xxiv., p. 4.
† "Sporting Magazine" for 1792, vol. i., p. 55.

Newmarket First Spring Meeting in 1773, a match became celebrated on account of the quick time it was run in. The contest was between Mr. Blake's Firetail and Mr. Foley's Pumpkin, 8st. each, and "was run at score, and the hardest race almost ever known; Pumpkin lying at Firetail's girt the whole time, and in coming in, what is scarce credible, they run the Rowley mile, 1 mile and 30 yards, in 1 minute 4 seconds." * And on December 29, 1786, a match was made for 1,000 guineas, in which Mr. Hull's horse Quibbler was to run 23 miles in an hour, and the feat was accomplished in 57 minutes and 10 seconds on the Flat at Newmarket.† At the second October meeting in 1827, a most remarkable race was run in a £50 handicap, in which two of the horses, viz., Goshawk and Stumps ran *two* dead heats, and a *deciding* heat! Six horses started, and in the first heat the running was very strong; in the second, Stumps led off with strong running, and kept a trifling front till near the ropes, when the other challenged, and like the last, made a dead heat of it—it is described as having been a terrific struggle. In the third heat, Stumps again made the running, and at about the same place Goshawk came up, and every inch of the ground was severely contested till near the finish, when Stumps was beaten, and Goshawk won by a length and-a-half. Robinson rode the winner, and Arnull, Stumps.

In connexion with Newmarket and its races the Palace originally built there by James I. was well

* "Morning Post and Daily Advertiser," April 19, 1773.
† "Sporting Magazine," vol. i., p. 56.

known. We have said that Charles II. repaired and enlarged it, and in reference to this we find Mr. Evelyn making some observations in his "Diary" of July 20, 1670, as thus :—"So passing through Newmarket, we alighted to see his Majesty's House there, now new building; the arches of the cellars beneath are well turned by Mr. Samuel, the architect, the rest mean enough, and hardly fit for a hunting horse." He then criticises and objects to the placing of the rooms, and continues—"Besides, this house is placed in a dirty street, without any court or avenue, like a common one, whereas it might, and ought to have been built at either end of the town, upon the very carpet where the sports are celebrated; but it being the purchase of an old wretched house of my Lord Thormond's, his Majesty was persuaded to set it on that foundation, the most improper imaginable for a house of sport and pleasure."* This Palace has been visited by several of our Sovereigns besides James I. and Charles II. The first Charles was confined as a prisoner in it at the time the Parliamentary army was encamped on Kentford Heath, but was subsequently removed to the residence of Lady Cutts, at Childerly; and William I., Queen Anne, and some of the Brunswick family also resided there upon occasions. Several attempts have been made to repair and improve it, and one of these attempts is thus facetiously remarked upon in a letter from a correspondent at Newmarket, published in the "Sporting Magazine" † for 1825 :—"The poor old mutilated

* Evelyn's "Diary," edition 1857, vol. ii., p. 48.
† Vol. for May and October, 1825, p. 257.

Palace is also undergoing either repair or improvements, which speaks well for the revival of the Turf. A wall in the front, partly built by King Charles, of brick, and another part, by Queen Anne, of bricks and stones, is just finished by George IV. (or some one else) with flints. There seems a great want of harmony in this—I mean in appearance only—which might have been prevented by re-building the whole. It would not have cost above £13 even if Mr. Hume had lost his seat in Parliament. A screen formed of hurdles stuffed with straw, and secured with hay bands, has been removed from the front court. This convenience and original thought was intended to separate the peeresses from the placeman's wives and the publicans' daughters, there being but one entrance; this, however, totally failed; and however ornamental, proved totally useless. After more than twenty surveys by men of talent, a plan was hit upon, said to be the *sole invention* of one of them, which turns out, however, to be no such thing, it having been practically applied by a gentleman at one of our universities, when he cut a large hole in his door to admit his cat, and a small one for his kitten. Be this as it may, the two holes in the wall (entrances, if they may be called so, to this once splendid Sporting Palace, for a long time a conspicuous part of the nation's pride) are likely to be a source of vexatious disappointment to the supposed inventor; for on trial, it turned out that though the large cat could not get in at the small hole, the small cat could at the large one; so that the way to grandeur and

distinction remains as before the hurdles and straw screen were put up."

After alluding to some of the proposed alterations, this writer concludes as follows:—"According to the plan handed about, if fully acted up to, this Royal residence will very much resemble a lunatic asylumn at Hoxton, but on a much smaller scale; neither are the accommodations for its inmates and attendants equal to those at Hoxton, if we except two or three rooms they have not attempted to improve."

We believe that some portions of the Palace were granted to the Duke of Bedford by the Crown, and another portion to the Duke of Rutland, although we do not know when; it might, however, have been in 1816, when, as appears from a note at the foot of the page* in Evely's "Diary," the Palace was sold by the Crown. Subsequently, the property, came into the possession of Mr. William Butler, who again disposed of a portion of it to the "English Congregational Chapel Building Society," who during the past summer have had it pulled down, and the site and materials employed in the erection of a Congregational Chapel, the corner stone of which was laid by John Crossley, Esq., Mayor of Halifax, and Chairman of the Congregational Society, on Thursday, October 9, 1862.

Such is the end of an edifice which for so many years must have been considered a special and distinctive feature, as long as it stood, of Newmarket's racing renown and glory; and it is a matter of surprise, that being so immediately in the precints of the property

* Vol. ii. p., 48.

held exclusively by the Jockey Club, that that body did not make an effort to save it from destruction, and by its conservation, have retained so ancient a *souvenir* of the early institution of horse-racing as well as a memento of their own body. There are, however, no more palaces with such reminiscences to save—the opportunity offered has slipped through their fingers, and the only satisfaction left is, that the purposes for which the new building on the old site is now used are the very best to which it could be applied.

The importance and estimation of the meetings held at Newmarket may be inferred when we state that there are six distinct ones held in the course of the year, and at which in the past year there were no less than 295 different stakes run for, and for which, 1,206 horses started! The value, moreover, of which 1,206 amounted in the aggregate to the immense sum of £69,089 including matches, but exclusive of three Queen's Plates of £105 each! As we have before stated the races run here have very great importance in the eyes of the professional sporting man, and the "business" done at these meetings may be guessed at from the following vivid scene as described in "The Chace, Turf, and Road," by Nimrod :—

"No country under the heavens, however, produces such a scene as this, and he would feel a difficulty in reconciling the proceedings of those gentlemen of the Betting Ring with the accounts he might read the next morning in the newspapers of the distressed state of England, or that money was scarce anywhere. 'What do you bet on this race, my Lord?' says a vulgar looking man, on a shabby hack, with a shocking bad

hat. 'I want to back the field,' says my Lord. 'So do I,' say the leg. 'I'll bet 500 to 200 you don't name the winner,' cries my Lord. 'I'll take six,' exclaims the leg. 'I'll bet it you,' roars my Lord. 'I'll double it,' bellows the leg. 'Done,' shouts the Peer. 'Treble it?' 'No.' The bet is entered, and so much for wanting to back the field! but in war, love, and horse-racing, stratagem, we believe, is allowed. Scores of such scenes as this take place in those momentous half hours.* All bets lost at Newmarket are paid the following morning, in the town, and £50,000 or more, have been known to exchange hands in one day."

The town, and principal part of Newmarket, is in the county of Suffolk, but the race-course is in Cambridgeshire. The training grounds and race-course are considered the finest in the kingdom, the former being admirably adapted for exercising the race-horse, and the latter, which is on a fine grassy heath, extending in length about 4 miles, when in good order is beautifully elastic, and is never what may be termed hard, although it is at times deep; and this elasticity peculiar to it, is said to arise from the nightly working of the earth worms. The course is divided or classed into 18 different lengths, which are known by particular names given them, such as the Beacon Course, Ditch in, Across the Flat, &c., &c., and from this variety it is considered to be peculiarly adapted to all and every description of the race-horse with regard to age, weight, &c., and is therefore pre-eminently suited for matches. The Racing grounds on Newmarket

*. At Newmarket only half-an-hour intervenes between each race.

heath have been the property of the Jockey Club for many years—ever since the year 1753. Heats, which were in vogue in the races held here—indeed the practice was at one time general—were abolished in the year 1772, with the exception of the single race for the Town Plate.

CHAPTER IV.

Epsom races: peculiar features of these races.—The interest taken by the middle and working classes in these races.—Early description of Epsom: its mineral water renown.—Pepys visits the place, and drinks four pints of the waters.—Early practice of horse-races at Epsom, and description of the sport.—Sport in 1743.—Institution of the Derby and Oaks; statistics of these races.—The Grand Stand.—The House of Commons and the Derby.—Curious match.

On one particular day, selected out of the whole 365 which make up the year, may be observed numerous streams of people, who, apparently guided by some peculiar magnetic influence on the occasion, periodically wend their way from all parts of London, parts near and about it, and many more distant portions of the kingdom, all tending towards a given point, and finally forming themselves into one vast, dense mass, upon a certain spot selected as the rendezvous a few miles distant from the metropolis. Topographically, the spot is known as Epsom, in the county of Surrey, and the magic word which collects so many thousands together on this particular occasion is the "Derby;" and the race for this grand prize, whether viewed as a whole, or in the several features peculiar to the pastime, such as the excellence of the horses engaged in the contest, the large amount of its stakes, the immense sums of money depending upon the result, and the thousands upon thousands of people who wit-

ness the festival yearly, holds the premier rank in the racing and sporting world. In other and similar meetings, there is in general to be observed some local peculiarity of feature in the majority of those assembled, which in itself shows that the spectators are mainly limited to the neighbourhood. For instance, at Chester, those to be found on the course are principally its own citizens—always a goodly number—the remainder being drawn from near localities, and the professional sporting man from all parts, to whom distance is no object compared with his interests. The same may be said of York and Doncaster, &c.; while at Newmarket, again, the attendance is most strongly marked by its professional feature; and Royal Ascot, and Princely Goodwood, by aristocratic and fashionable elements.

Now, with respect to Epsom, although the majority of its vast crowd is made up by those from its own immediate and near neighbourhood, like the meeting at Chester, &c., yet, unlike that and every other meeting, it possesses a *universality*, and combines in the greatest degree the elements of each and all. The great Derby Race at Epsom is known and spoken of in nearly every part of the United Kingdom, and has a world-wide reputation besides. Of course many of those who actively participate, and find themselves mixed up in its whirl and excitement, are those who have a pecuniary interest in it; but there are far more with whom there is no such important consideration to recommend it to their notice, yet nevertheless are found annually amongst its votaries. The simple fact is, the Derby

Race is looked upon as *the* great national festival of the year, and the attendance of its celebration a thoroughly English, hearty, and harmless recreation; and in this light, many who would view betting or gambling transactions with almost a pious horror, waive such strict ideas for once in favour of the "Derby," and with the object of creating a zest, or imparting additional interest to the enjoyment, enter into speculations upon the result in amounts ranging form 5s., or a pair of gloves, up to sums, which for convenience sake, are represented by, and best paid or received in, bits of paper which our American friends term "shin plasters." When we once begin to interest ourselves in anything, inclination is soon allowed full play; and the mind, carrying out the great principle of human action in governing the body, asserts its prerogative, and as a result we see this individual interest so largely represented by a personal and sometimes family inspection of Banstead Downs, on or about the 25th of May.

This step once decided upon and taken, we all know pretty well what follows: ordinary cares are for once flung aside; the one day in the year is to be devoted to an enjoyment which is peculiarly adapted to the habits and tastes of the people of this country; on this occasion, rank and titles unbend from their usual stiffness and seclusion, and all social distinctions, and the general tone of society is mellowed down into a generosity of disposition and geniality of feeling, which is not only peculiar to the race-course, but is not to be met with to the same extent off it. Somehow or the

other, an Englishman is a very different individual, as regards temperament and disposition, when met with in every day and ordinary society, to what he is when seen on the race-course. In the former, his taciturnity and closeness are remarkable, but on the latter, his whole nature seems to expand to the greatest extent possible, and his liberality and social qualities are unbounded! This curious anomaly is well known to exist, but how is it accounted for? Is it that generally speaking so many Englishmen can only find a degree of ease or a social level in a crowd; or does it in truth arise from his feelings being so elated by the various circumstances with which he is surrounded—the feeling of pride with which he views the immense assemblage, and of which in his own person he forms a part, and the general good order and decorum of the multitude; his admiration of the beauty and power of the English race-horse; pride again in the great value of the prizes contended for; and a feeling of exultation at the enormous sums of money wagered and depending upon the result of a race, which does not occupy three minutes of time to run and decide? Is it the operation of such feelings as these that thaws the crust of ice which in general freezes his nature, and keeps pent up the more social qualities of his disposition, and which only require occasions and opportunities, such as the race-course affords, to bring out? If this is the true solution of this peculiar characteristic, then on this account alone horse-races deserve encouragement, if only to make Englishmen more

social, as a race, in ordinary society and conversation.

In strong confirmation of the foregoing views, we quote the evidence of Mr. Barnard, a gentleman of long experience in racing matters, as given by him before the Committee of the House of Commons, in 1844. The questions put refer to the Derby Race:—

Question.—Do not a great number of the lower classes go as a holiday, without joining in the gambling?

Answer.—Yes; they do not join in the gambling; I should think they have no money to lose.

Question.—Do not great numbers of the lower classes attend every year?

Answer.—Yes.

Question.—How many should you say of the lower classes?

Answer.—Very like 15,000 or 20,000.

Question.—Who do not gamble?

Answer.—I should say not.

Question.—But who derive a great deal of pleasure from the holiday, and the amusement there going on?

Answer.—They appear to derive as much pleasure as we do.

Question.—The Derby day is a holiday for everyone?

Answer.—Yes.

Question.—Persons who work hard the whole of the rest of the year go to Epsom?

Answer.—They make up their minds to go to Epsom.

Question.—They are going down all the morning, and coming back all night?

Answer.—Yes.

Question (put by Viscount Palmerston).—There are a great number of ladies that go, are there not?

Answer.—Yes.

Question.—More than half-a-dozen?

Answer.—Yes.

Question.—Do you believe that they share in this gambling?

Answer.—I know a great many of them bet; even our landladies in Epsom have as much as £1 or £2, or a new dress, or a new gown.

Question.—Do not the ladies bet a great number of gloves?

Answer.—Yes.

Question.—Do you suppose that those 15,000 or 20,000 people would go if there was no gambling?

Answer.—I do not think it would make much difference to the lower class of people.

The general outcry against horse-racing has been, that it tended to demoralise the lower classes by leading them into habits of gambling, but here we have proof positive to the contrary. We will take another gentleman's evidence before the same Committee on the subject, viz., Mr. Richard Tattersall:—

Question.—You have been in the habit of attending the large races. Do you think the public in general, the middle and lower classes, take much interest in those races?

Answer.—I am sure that the lower class take more interest in it than the middling or higher class.

Question.—They collect in large numbers?

Answer.—Immense; look at Manchester and those places, and look at Epsom.

Question.—Do you think they are attracted to those racecourses by the pleasures of the holiday, and the enjoyment of the race, or for the purposes of gaming?

Answer.—By the pleasure of the race, and particularly where there are large stakes to be run for. I attend Epsom

every year; I take a cottage in the neighbourhood; the first day there is no one there, the day of the Derby all the world come, the next day there are very few; and then again at the Oaks there are a good many. At the farm-houses the servants make an agreement to go in their hireing.

Question.—It is a source of enjoyment to them?

Answer.—To every Englishman, and to the lower class quite as much as to the high.

The peculiar features of Epsom Races and the Derby day have so often been pointed out and described by various writers, that we shall at once proceed to discuss matters relative to its history which probably are not so well known. The old Saxon name of Epsom was Ebbesheim, signifying Ebba's home, or palace, and was derived from Ebba, a Queen of this country. After a time, the place was pronounced Ebbisham, then Eb's-ham, and the name finally merged into that of Epsom. No doubt many are under the impression that the renown of the place was derived from the horse-races held there, and for which the spot is now so famous; but the fact is, the at one time almost unknown and humble village, owed its popularity to a far different cause. For some years Epsom has been celebrated for its salts; but a circumstance not so well or generally known is, that about the end of the XVII. century it rivalled Bath and Tunbridge Wells in the numbers and quality of those who resorted there to drink its mineral waters.

The mineral spring, which was situated on the common about half a mile west of the village, was the first of the kind discovered in this country, and was

found by accident in or about the year 1618 (although some writers say at an earlier date still, viz., in the end of Queen Elizabeth's reign) by one Henry Wicker, who one day perceiving a small hole in the ground which was full of water, enlarged it for the purpose of watering his cattle, but which water the cattle would not drink. This circumstance led to inquiry, and for some dozen years it was supposed to be aluminous, but the real nature of its properties was discovered in the year 1630, from the fact of some labourers accidentally having quenched their thirst at the spring. Soon after this discovery, the beneficial properties of the waters became widely known, and attracted many strangers, for whose accomodation the Lord of the Manor erected a shed, and enclosed the pond formed by the spring. About 20 years later on, the fame of the waters had extended to the continent, and then from the waters were prepared the Epsom Salts, which at that time must have yielded a good profit as it is said they sold for five shillings per ounce,* and the demand for them was greater than the supply. The fame of the well kept on increasing, and the number of families seeking the waters, both English and foreign, was so great, that the then Lord of the Manor, a Mr. Parkhurst, enlarged the original building, built a ball-room, and planted a long walk of elms, forming an approach to the spring from the London road and other avenues which led to it in different directions.

The village of Epsom, as well as its fame, increased; and although many lodging-houses were erected, it

* "Topographical Beauties of England and Wales," vol. 14, p. 169.

appears that the number of families and distinguished visitors who thronged to the place was so great that it was a matter of great difficulty to give all accomodation. There is no doubt the present generally quiet and almost secluded village of Epsom was about the time of which we speak the most frequented and fashionable resort in the kingdom, and was at that period the chief rendezvous of those who considered it either necessary or fashionable to drink mineral waters, as subsequently, when sea-bathing came into vogue and the patronage of George IV. when Prince of Wales made Brighton the principal resort of the aristocracy, that place also became a fashionable watering lounge.

Pepys records a visit he paid to the mineral spring at Epsom in his "Diary" of July 14, 1667, where he says —"To the well; where much company, and I drank the water: they did not, but I did drink four pints. And to the towne, to the King's Head; and hear that my Lord Buckhurst and Nelly * are lodged at the next house, and Sir Charles Sedley with them: and keep a merry house."

During the reign of Charles II. Epsom was at the height of its fashionable popularity, as may be gathered from an announcement in the "London Gazette" of June 19, 1684, "That the post will go every day to and fro', betwixt London and Epsom during the season for drinking the waters." The waters maintained their reputation for some years, until as it appears an apothecary of the name of Levingstone took it into his head to avail himself of the opportunity presented, and

* Nell Gwynne.

do a stroke of business on his own account. This gentleman, we are informed, purchased a piece of land in the neighbourhood of the well, built a large house and an assembly room, and sunk a well of his own. This object being accomplished, he next turned his attention to attract and secure customers, and to attain this end he managed to lure the company who frequented the old well to his new establishment by providing for them balls, concerts, and other diversions. In this object he was also successful; and as another stroke of policy, he ultimately got the lease of the old well into his own hands, and at once locked up the place, thus effectually shutting up the opposition shop. Mr. Levingstone's deep stroke of policy, however, was not altogether successful, for it was soon found that the new waters did not possess the virtues of the old, and Epsom gradually began to be deserted; but on the expiration of the lease, Mr. Parkhurst repaired the buildings belonging to the old well, and the town was again frequented for a time by the neighbouring gentry, with whom it became customary to have a public breakfast every Monday during the summer season. The drinking of mineral waters, however, became almost entirely superseded by the practice of sea-bathing, and consequently Epsom began to be gradually forsaken, and was at last deserted altogether. The old building was demolished in 1804, and a dwelling-house erected on its site, but the well itself was preserved.

During the period that Epsom was in the full height of its mineral-water renown and fashionable popularity, we have a capital description of the place, and the

characters, habits, and amusements of those frequenting it, by a Mr. Toland, a native of Leyden, who it appears was quartered in Epsom, and resided at Woodcote some time during the reign of Queen Anne, and who makes known the characteristic features of the place in a letter written to "Eudoxa" in the year 1711, as near as we can gather from his biographer,* and from which we give a few extracts :—

"MADAM,—Epsom—a village in the County of Surrey, much frequented for its most healthy air and excellent mineral waters—is distant about fourteen Italian miles from London Bridge. * * * The Downs being covered with grass finer than Persian carpets, and perfumed with wild thyme and juniper, run thirty miles in length, though under different appellations, from Croydon to Farnham : and for sheep-walks, riding, hunting, racing, shooting, with games of most sorts for exercise of the body or recreation of the mind, and a perpetual chain of villages within a mile of each other beneath they are no where else to be parallele'd. The form of this, our village, as seen from thence, is exactly semi-circular ; beginning with a Church and ending with a Palace : † or, lest our style here should offend you, Madam, it has a Palace for its head, and a Church for its tail."

We are not of course aware what "Eudoxa's" ideas and opinions were respecting Church and State, but this inversion in the order, which the writer evidently considered an improvement, is certainly one open to comment. However, Mr. Toland continues—

"But remembering, Madam, that I am to describe a village,

* Toland's "Various Pieces," published 1726.
† The Palace at Durdans.

and not a single house, I must needs say * * * By the conversation of those who walk there, you would fancy yourself to be this minute in the Exchange, and the next minute at St. James's; one while in an East India factory or a West India plantation, and another while with the army in Flanders, or on board the fleet in the Ocean. Nor is there any profession, trade or calling, that you can miss of here, either for your instruction or your diversion.

"In the raffling shops are lost more hearts than guineas, though Cupid be no where so liberal as in England. And the greatest order, that in such cases can be expected (however to me it be a rout) is preserved at the gaming tables of every kind, where it is very diverting for a stander-by to observe the different humours and passions of both sexes, which discover themselves with less art and reserve at play, than on any other occasion. There you'll see a sparkish young fellow of 25, sitting right over a blooming beauty of 18, but so intent on gain and the dice, that he never exchanges a word or a look with her: while a little lower, you may smile at an old hunks, that loves his money as well as any in the city, yet losing it as fast as he plays, by having his eyes wholly off his cards, and fix't on a green girl of 13, that cares as little for any man there as he does for his wife at home."

This is a picture, plainly drawn, of the fashionable society of that period at Epsom, and it is somewhat curious to mark the passions of the age and its gambling propensities as thus humorously described.—

"From this account," says Toland, "it is plain we are not quite in Heaven here, though we may justly be said to be in Paradise: a place cohabited by innocence and guilt, by folly and fraud, from the beginning."

The letter then concludes as follows:—

"This I insert for your information, noblest Cheruscus, to whom I am confident Eudoxa will communicate this letter, since you have wisely resolved (as you do everything) to purchase a summer retreat, cost what it will, somewhere in this neighbourhood. * * * But whether you try your patience in angling for trouts about Leatherhead: whether you go to some cricket match and other prizes of contending villagers, or chose to breathe your horse at a race, and to follow a pack of hounds in the proper season: whether, I say, you delight in any or every one of these, Epsom is the place you must like before all others.

* * * *

"You have here, madam, the description that you demanded of Epsom, and my reasons for liking the place."

Such was Epsom about a century and a half ago, at which period its seasons of amusement and popularity were of longer duration than in the present time. Then, the place had not obtained any very wide celebrity on account of its horse-races, although they were not of unfrequent occurrence, as we find Toland himself in one part of his letter alludes to them, and his biographer adds in a note at the foot of the page, that "Banstead Downs * are very famous for horse-matches, as there is not a properer place in the world for this sport;" but it is worthy of remark, that although the *causes* of its first and second popularity were totally different in nature, yet that the effects as shown in the general propensity of those frequenting it were the same; that is to say, the spirit of gambling was the dominant one in both instances. There is, however, a

* In many old documents Epsom is often called and known by this name.

preference due to the latter over the former times and propensities, for whereas in the first it was nothing less than a *vice* consequent upon the indulgence of it being solely practised for gain, or else of aping the fashion by a lavish squandering of money, yet in the second the indulgence became ennobled in a great measure through being possessed of high and good qualities to recommend it which the other had not.

The precise period when horse-racing first began to be practised at Epsom is a matter of uncertainty, but many believe it dates as far back as the reign of James I., who was, at times, a resident of the place, and occupied the Palace of Nonsuch; and this is not at all improbable when we recollect the sporting propensity of the monarch, and that wherever he went, did the spot allow of it, he was sure to pass some part of his time in his favourite sport of hunting, a term, by-the-by, so generally used at this period to designate so many sports in which the horse figured and took a part, that we have no doubt many of King James's hunting excursions were, in point of fact, to witness horse-matches. But with regard to the races at Epsom. We have mentioned in a previous chapter,* that the pastime must have been practised for certain to some extent on Banstead Downs as early as 1648, which was in the latter part of the reign of Charles I.; and about this date the place was evidently becoming somewhat celebrated for the pastime, as a few years later only, we find Pepys lamenting his inability to attend a "Derby" of the day. "The Duke of York

* p. 54.

did go to-day by break of day to the Downs." This memorandum in his "Diary" is dated September 11, 1660; and under date May 27, 1663, he says—"This day there was a great thronging to Banstead Downs, upon a great horse-race and foot-race. I am sorry I could not go thither." Again, in his "Diary" of July 25, same year, he states that, "Having intended this day to go to Banstead Downs to see a famous race, I sent Will to get himself ready to go with me; but I hear it is put off, because the Lords do sit in Parliament to-day." The great Derby race, however, had not as yet been instituted, and therefore as the object which subsequently was annually to draw its thousands to the spot had not yet been originated, we presume plain sailing directions were not so much needed, and this explanation perhaps may serve as an apology for the following curt and nautical description of Epsom in a work published in 1730,* "On the Downs is a four mile course for horse-races from N.E. to S.W., which is much frequented." But although the Derby was not then in existence, the races began to be held annually at this date, and it was then the custom to commence the racing at 11 o'clock, and after the first or second heat, the company in general retired into the town to dinner, and assembled again on the course in the afternoon to witness the conclusion of the day's races. The meetings held here very soon after this date rapidly increased in importance, for we find that, in the year 1743, the prizes were valuable ones, the field of horses running for them large, and the com-

* "Magna Britannia," vol. v., p. 377.

pany attending the races not only numerous and fashionable, but graced by royalty. Thus, the "Westminster Journal" of May 21, that year records that "Eight horses started for a purse of 50 guineas, which was won by the Duke of Ancaster's *Dismal;* and on Saturday last the races ended there, when eleven horses started for the Ladies' Purse of 50 guineas, and what was very remarkable, not one of them was distanced. Mr. Langham's horse *Bravo* won the first heat, Sir W. Wyvill's *Sportsman* the second, and Mr. Langham's *Bravo* the third. The Prince and Princess of Wales, and a great many of the nobility were present. There was exceeding good diversion, and the sportsmen were taken in, they laying 10 to 5 in favour of *Sportsman* against the field." The same royal personages recorded as being present at this meeting, also attended the races at Epsom in the years 1744 and 1745, as also a similar numerous and aristocratic assemblage. Year by year, the prestige and importance of the Epsom meetings increased, and, in 1776, the "Morning Post" of October 23, states that, "this day the October Meeting at Epsom begins, at which good sport is expected, many capital horses being gone down there from Newmarket, to run for the different plates and sweepstakes." The amount of the sport and nature of the racing is given in the next day's "Post," from which it appears that the race for the Town Plate of £50 for five, 6 year olds, and aged horses, the best of three four mile heats, and for which a field of 13 started, "was one of the finest races ever seen, &c.; the knowing ones from town were taken in exceedingly by

backing *Nestor*," who only managed to get second. In a sweepstakes run for on the same day, a curious accident which befel the jockey of the winning horse is thus recorded: "Just before he came in at the winning post, being crossed by a gentleman on horseback, the rider was thrown; but his leg hanging in the stirrup, the horse carried his weight in, and won miraculously without hurting his jockey."

Even thus early in the history of Epsom races, we find the sport was good and the prizes valuable; and that the pastime was very popular with the Surrey folks is certain, from the reason that nearly all the prizes given to be run for at the races held here, were, we believe, with few exceptions, and previous to the institution of the "Oaks," provided by voluntary subscriptions of the inhabitants—those deriving a benefit from the races, the owners of booths, &c.; and Brayley * states that it was on this latter account the Lord of the Manor subsequently made a charge for granting permission to erect such temporary buildings during race time. As an instance of how fond some of those in the neighbourhood were of the pastime, and jealous of any interference with it, we may mention that about the year 1760, one of the principal residents, the Rev. Martin Madan, was successful in using his magisterial authority in repressing gaming in the town during the race week, at which some of the inhabitants were so indignant, "that they burnt him in effigy near the spot where the pump now stands." † Of course the rev. gentleman was right and the people were wrong, but

* "History of Surrey," vol. iv., p. 371. † *Ibid.*, p. 366.

we see how difficult it is at all times to get any merit for doing a good action, when the propensity which requires checking becomes an evil from over indulgence and abuse.

The year 1780 may be said to form an epocha in the history of Epsom races by which it became divided into two ages: that comprehending its history from the earliest commencement of horse-racing there, up to, and inclusive of, the year 1779, and that age dating from 1780, when the Derby Stakes were first instituted, and the foundation laid for the subsequent honour of the "Blue Ribbon" of the Turf conferred in name upon it, up to the present time. The race itself is not unworthy of the honour: it had for a sponsor one of England's noblest peers, the late and twelfth Earl of Derby, whose patronage and support, as also that of his successor, have been shown by a connexion and intimacy of now close upon a century; and it has also had accorded to it the interest and patronage of others equally high in position as well as the general support of the public, which has resulted in its attaining the notoriety and importance attached to it in the present day. Like the celebrated St. Leger race, it was some few years after its first being run before it was taken much notice of, and those in the habit of reading the full and graphic accounts of the race itself, the journey down and home again, and all the doings connected with it as recorded by writers of the present period, may perhaps smile at the following brief, but full, report of the Derby race of 1780, as published by the London "Evening Post" of May 6 in that year.

"Thursday.

"The Derby Stakes of 50 Guineas each, h. ft. colts and fillies, the last mile of the course.

Sir C. Bunbury's ch. c.	1
Mr. O'Kelly's b. c.	2
Mr. Walker's f.	3
Sir F. Evelyn's br. c.	4

The winning horse was named *Diomed*, the distance run was then a mile, not a mile and-a-half as now; there were 36 subscribers, out of which 9 started; and the full value of the stakes would consequently be £1,125. The relative importance of, and interest attaching to, this race in all its features as regards its early and late periods, is best shown by contrast and comparison. Thus, for the first 20 years from the institution of the Derby in 1780, its number of subscribers in each year averaged 35, the average number of starters 10, and the average number of those placed 4. For the second 20 years, the average number of subcribers was 43, starters 12, and placed 4. For the third 20 years, the number of subscribers averaged 93, starters 18, and placed 2. And for the last 23 years, which brings the Derby up to, and inclusive of, the year 1862, its average number of subscribers was 195, starters (within a very small fraction) 26, and placed 3. With respect to other statistics of this race, we may mention that Sir Charles Bunbury carried off the Blue Ribbon of the Turf on 3 different occasions; Lord Egremont won the prize no less than 5 times, including 2 years' running, viz., in 1804 and 1805; Lord Derby on 1 occasion only; the Prince of Wales

(afterwards George IV.) once; and the Duke of York once. The Duke of Bedford and Lord Grosvenor each 3 times; and the Duke of Grafton 4 several times, including 2 years' running, in 1809 and 1810. Mr. Gully won the Derby twice, in 1847 and 1854; Sir J. Hawley on 3 occasions, including 2 years in succession, viz., in 1858 and 1859: Lord Jersey 3 years, viz., in 1825-27, and 1836; and Mr. Bowes 4 times, including 2 years' running in 1852-53; and there are several others who have also carried off the first great racing prize on more than one occasion. The most fortunate jockeys in riding for this race have been S. Arnull, who rode the winner on 4 occasions; J. Arnull 4 times; W. Arnull twice; and another member of the family once. The Chifneys rode the winner 3 times, and on 1 occasion, in 1830, pocketed the full stakes through their own horse, Priam, winning, on which occasion old Sam. Day was in the saddle; Buckle 4; Clift 5; Wheatley 3; Goodison 4; Robinson 6, out of which he twice coupled successive wins, viz., in the years 1824 and 1825, and again in 1827 and 1828. The Day family number 4 winning mounts; and Scott 4, including twice running, in 1842-43. Little Sim. Templeman won this race 3 times, including 2 years' running, viz., in 1847-48; Marson had a double innings in 1850-51; Frank Butler ditto in 1852-53; and Wells scored his name as a winner twice in succession in 1858-59. Flatman, or Nat, as he was generally called, is registered as a winner on 1 occasion in 1844, but the horse he rode (Orlando) only ran second in the race, but ultimately received the stakes as winner on account

of the horse that actually did pass the winning post first (viz., Running Rein) being subsequently disqualified on account of being a four instead of a three year old. It is somewhat curious that this rider, who for some years had the best and numbered more winning mounts in the course of a racing season than any of his brother jockeys, was never fortunate enough to win this great event of the year, except in the one instance, as above stated, when as seen he was only second in the race after all. He also never won the Oaks, but as we have stated, carried off the Leger three times. In note-worthy incidents connected with the Derby, the year 1794 was remarkable on account of only 4 horses starting for the race, which was won by Lord Grosvenor's Dædalus; his lordship also ran fourth with another horse. In 1824, Robinson the jockey made a wager (in which he obtained good long odds) that he would in that year, and within the week, win the Derby and Oaks races, and also get married!—all three somewhat problematical occurrences, the chances of success as regards the two first events being a matter determined by a mathematical calculation, and the latter, we presume, being almost reduced to a certainty beforehand by previous courtship. Of course the chances were in favour of those who laid odds, but on this occasion the odds were floored, for Robinson won the Derby on Cedric, the Oaks on Cobweb, and his wife—no, what we mean to say is, and he also got married within the week. The year 1828 witnessed the first and only dead heat between Cadland and the Colonel that ever occurred for this race—the deciding heat was

won by Cadland. Originally, the weights carried for the Derby were, colts 8st. 7lbs., fillies 8st. 3lbs., but this year (1862) they were altered to colts 8st. 10lbs., and fillies 8st. 5lbs.

There are two meetings at Epsom in the course of the year, one in April and the other either at the latter end of May or beginning of June. With regard to the value of the prizes run for at these two meetings, at first sight it appears hardly credible, that in less than three minutes time, a sum of £6,525* should be disposed of, yet such was the case, as that sum was the amount of the Derby stakes run for in 2 minutes, 45½ seconds; and the day but one following, the question of who was to receive a nearly similar sum was as quickly decided in the shape of £4,175, the amount of the Oaks stakes. Again, the two meetings comprised 6 *days* racing (we are now speaking of totals) at which 39 races were run, which occupied 1 hour 13 minutes and 54½ seconds in running,† for which 408 horses started, and out of which there were 39 winners who shared between them the large sum of £19,690?

Generally speaking, all the races run at Epsom are important ones, and the prizes very valuable; and if the Derby ranks first in the list over all other races, the "Oaks," which is also run for at Epsom in the Derby week, may take equal honours, and be classed in importance with the St. Leger. This race

* Our calculations are based upon last year's returns, and it is only the bare Stakes we speak of—betting is not taken into consideration.

† This time is as near exactness as possible, but where a walk-over occurred (there were two), a fair amount of time has been allowed as if the distance had been actually run.

—termed the ladies race—is only open for 3-year old fillies to run, and claims one years' previous antiquity to the Derby, having been established and first run for in 1779. This race derived its name from the fact of an alehouse being called the "Oaks," which at one time stood upon that part of Banstead Downs in the parish of Woodmanstone, and was afterwards purchased by General Burgoyne, who added to the extent and elegance of the building, and fitted the place up for a hunting seat. Subsequently, the General sold the place to the Earl of Derby—(who originated and named the race the "Oaks" after this seat so purchased), and who at different times enlarged the house, and also enclosed a considerable portion of the fields adjoining, and it was surrounded for about two miles in circumference by plantations. Lord Derby's *Bridget* carried off this prize the first year it was run for, since which time the most successful competitors have been Lord Grosvenor, who won it 6 times, including 3 years' running, viz., in 1781 with *Faith*, 1782 with *Ceres*, and 1783 with *Maid of the Oaks*. General Grosvenor was twice a winner. Lord Egremont won it on 5 several occasions; and the Duke of Bedford on 3. Mr. Scott won the Oaks twice, viz., in 1836 and 1852; and Mr. H. Hill the same number of times, viz., in 1848 and 1856. Of jockeys, the most successful in enrolling their names as pioneers of the winning horse have been the elder Chifney who had 4 winning mounts, or 2 double events, as he won it running in 1782 and 1783, and again in 1789 and 1790; and other members of his family also rode the winners on 5 other different occasions. Fitzpatrick

had 4 winning mounts, inclusive of two years' in succession, viz , in 1787 and 1788. Buckle won this race no less than 9 times, which included 3 successive years, in 1797, 1798, and 1799; again he repeated his victory successively in 1802 and 1803, and once more in 1817 and 1818. Robinson has won it twice; Lye 3; John Day 5 times; S. Day once; Alfred Day once; Scott 3; Frank Butler 6 times, including twice running in 1843-44, and then repeated the victory 4 years in succession! viz., in 1849, 1850-51 and 1852. Sim. Templeman won this race 3 times, inclusive of 2 years' running in 1847-48; Charlton twice; L. Snowden twice; and Fordham once only; and as this was the only occasion and the only one of the three great events he has succeeded in winning, the chances are, that what with the good mounts he has, and his ability as a jockey, it will not be many years before he adds one, or probably both, of the other great events to his already long list of other victories.

Besides those jockeys already named as winners, more or less, of the St. Leger, Derby, and Oaks, there are many others who have also won one or the other of these prizes—jockeys equally skilful in the saddle as their more fortunate brethren—and whose names are omitted here only because we have selected for a purpose those who have been the most successful.

In the averages for this race, we find that for the first 20 years from 1779, the number of subscribers to the Oaks was 26, of starters 9, placed 5. The second 20 years the numbers averaged, subscribers 33, starters 9, placed 4. The third 20 years the numbers were

respectively, subscribers 69, starters 13, and placed 3. And for the last 24 years, the numbers averaged, subscribers 138, starters 17, and placed (within a small fraction, owing to the judge having placed the whole 13 that ran in 1857) 4. There was a dead heat for the Oaks in 1858, between Governess and Gildermire, which the former won in the final contest.

The race-course at Epsom is not, naturally, one of the best in the kingdom, either for the horses to run on, or for that portion of the spectators who are obliged to stand on *terra firma* to view the running. The distance run by the horses for the Derby race on the new course, and which was first used in 1848, is exactly one mile and-a-half, the first half mile being on the ascent, the next third of a mile the ground is level, from the bend into the straight run home, and to within the distance, it is on the descent, and from this point the remainder is again on the ascent. This great variation in the ground as run over often reverses and upsets calculations based upon the running of horses who may have previously shown to great advantage over the level flat at Newmarket: the contests for the 2,000 and 1,000 Guinea Stakes as run for at the latter place, are looked to as pointing out with some certainty the future Derby and Oaks victors, and the Epsom winners would be oftener and more truly indicated by this method of judging of a future result by a past and determined event, if it was not for this difference in the nature of the two race-courses, which effectually operates against a deduction so drawn that otherwise would be pretty accurate. As regards the spectators, accommodation

is offered to those who are willing to pay for it by means of its Grand Stand, which is the finest and largest in the kingdom. Nothing can more clearly indicate the vast progress made by the Turf as an institution, and the deep interest taken in the sport, than the magnitude of the many undertakings connected with it. Thus, Epsom Grand Stand, which was erected in 1829-30, was estimated to cost no less a sum than £13,890, and this amount, large as the sum was in itself, and more particularly so when we consider that the object to which it was to be applied was for a mere purpose of pleasure, and which it was known would only stand a fair chance of being occupied to the full extent it would hold on one day, and partly filled for about 10 or 15 days more in the course of the whole twelve months, was raised without any difficulty by 1,000 £20 shares! Again, the lawyer's bill alone for the same undertaking amounted to £557; and the edifice is—or any way was, a few years ago—assessed to the Poor's Rate at £500 per annum! To these outlays may be added yearly rent, &c., yet notwithstanding such heavy preliminary and current expenses, public support has hitherto prevented its having been subject either to the old or new Bankruptcy Laws.

But with respect to Epsom and its Grand Stand, there are some rather strange and extraordinary particulars connected with it which deserve to be recorded here.

In the year 1828, the inhabitants of Epsom were informed, by advertisement and otherwise, that for the purpose of erecting a suitable building, a company

had been formed, called the "Epsom Grand Stand Association." Such a building was wanted badly enough at the time to accomodate some of the thousands who then, as now, flocked to these races, and the undertaking, therefore, met with great encouragement and considerable patronage, and so far all was well; but we are informed by Mr. Brayley,* that, after all, this grand undertaking "had its origin in an artful speculation devised by a small horde of questionable characters; and it was not before great trouble and expense had been incurred, that they were excluded from the management."

We are not able to state the reasons why the original speculation has been designated an "artful" one, beyond the fact—as stated by Mr. Brayley—that in October, 1828, a Mr. Charles Bluck, of Doncaster, represented to the Manorial Court at Epsom that he was desirous of building a stand on the race-course after the model of the one at Doncaster, gave an estimate for the same, and killed another bird with the same stone by also handing in a petition to the Court for the grant of an acre of ground for a term of sixty-one years, which request was acceded to by the lord of the manor and the homage and leet juries, and an entry was made on the Court rolls in due form and order. It appears, however, that further negociations were entered into by Mr. Bluck with the lord of the manor, the result of which was that the terms of the lease were extended, and the ground was to be held for ninety years at an annual rental of £30, and this

* "History of Surrey," vol. iv., p. 372.

lease was signed the 27th November, 1828, the lessee having frequently, though untruly, stated "that he was sanctioned by the Jockey Club and most distinguished members of the Turf."

The next step taken appears to have been the issuing of a prospectus, announcing the formation of a company for building a Grand Stand, by means of a subscription of £20,000 in 1,000 £20 shares, and soon after the building was commenced from designs furnished by Mr. William Trendall, the architect. Apparently, up to this point, every thing was conducted in a proper manner, but we are informed that in the following May a new committee of shareholders was appointed, which "relieved the concern from its most objectionable members; and the committee having been authorized to raise £5,000 on mortgage, or by way of annuity"—which was raised in two sums of £2,500 each, obtained on annuity at 7 per cent., one of which annuities was redeemed in 1836, partly by the creation of 49 new shares bearing interest at 5 per cent.—"the edifice was shortly afterwards completed in its present form;" and in furtherance of this object, the builder, Mr. W. Chadwick, of London Bridge, agreed to take a certain number of shares, and he consequently became "one of the most active persons in its management."

Whatever the reasons were which led to a new committee of shareholders being appointed, or in what way the old committee became obnoxious, or in what manner again the "small horde of questionable characters" speculated upon making a profit, otherwise than legitimately, upon an undertaking which they evidently

intended to perfect, is not stated; but in connection with the stand, Mr. Brayley adds, that within three or four years after it was built, there sprang up a sad discord between the authorities in whose hands were held the destinies of Epsom Races. The contention was so serious, that just previous to the Derby of 1834, a notice was issued in the names of the "lord and lady of the Manor of Ebbesham," requiring all persons "to desist and refrain from erecting, or causing to be erected, on Epsom Downs, or on the waste lands of the said manor, any building, booth, or erection whatever, without the consent of the said lord and lady, or their bailiff," or even to trespass upon the said lands for any such purpose, on pain of being "dealt with accordingly." This alarming notice, however, was set at nought by the daring authorities, and the consequence was they were "dealt with accordingly" in the shape of an action, but matters were compromised by £5 being paid to the lord in acknowledgment of his rights, and £100 towards the costs of the action.

The length of the Grand Stand is rather more than 126 feet, and will accomodate 5,000 persons, its immense leaden roof alone having seats for 2,500. On the Derby day, it is a sight in itself to observe the curious appearance this immense number of human forms present perched high up in the air, and closely wedged together, during the time the race is actually being run, by the fixed momentary and half-front position of so many uncovered heads, and to notice the singular effect produced by the sudden and almost

instantaneous change of all the heads from their former half-front to a full-front position as the horses near the winning post. The interior of the Grand Stand is divided into several rooms—one of them, a saloon, being 101 feet long, and 38 feet wide—for the purpose of refreshment, and separate apartments for the use of members of the Jockey Club, the magistrates who sit during the races, &c.

The Derby, however, is not only a great race, its Grand Stand an immense structure, and its expenses correspondingly heavy, but everything connected with it is on a similar gigantic scale. Some few years ago, Mr. Dickens * favoured the public with some particulars of the Derby day, and the stores and preparations made for provisioning the Grand Stand portion of visitors, which we cannot do better than quote.

"Here we are! Let us go into the basement. First into the weighing-house, where the jockeys 'come to scale' after each race. We then inspect the offices for the Clerk of the Course himself; wine-cellars, beer-cellars, larders, sculleries, and kitchens, all as gigantically appointed, and as copiously furnished as if they formed part of an Ogre's castle. To furnish the refreshment-saloon, the Grand Stand has in store two thousand four hundred tumblers, one thousand two hundred wine glasses, three thousand plates and dishes, and several of the most elegant vases we have seen out of the Glass Palace, decorated with artificial flowers. An exciting odour of cookery meets us in our descent. Rows of spits are turning rows of joints before blazing walls of fire. Cooks are trussing fowls; confectioners are making jellies; kitchen-

* "Household Words," June 7, 1851.

maids are plucking pigeons; huge crates of boiled tongues are being garnished on dishes. One hundred and thirty legs of lamb, sixty-five saddles of lamb, and one hundred and thirty shoulders of lamb; in short, a whole flock of sixty-five lambs have to be roasted, and dished, and garnished, by the Derby Day. Twenty rounds of beef, four hundred lobsters, one hundred and fifty tongues, twenty fillets of veal, one hundred sirloins of beef, five hundred spring chickens, three hundred and fifty pigeon pies; a countless number of quartern loaves, and an incredible quantity of ham have to be cut up into sandwiches; eight hundred eggs have got to be boiled for the pigeon pies and salads. The forests of lettuces, the acres of cress, and beds of radishes, which will have to be chopped up; the gallons of 'dressing' that will have to be poured out and converted into salads for the insatiable Derby Day, will be best understood by a memorandum from the chief of that department to the *chef-de-cuisine*, which happened, accidentally, to fall under our notice: 'Pray don't forget a large tub and a birch-broom for mixing the salad!'"

Be the cause what it may that requires such vast preparations as these to meet an anticipated and speculative demand, the quantity supplied is a fair proof of the estimation and popularity of the object creating it. The Turf has not only gradually progressed until it has become a national institution, and one to which great interest and importance attaches, but by means of the great Derby Race, it has also attained a degree of weight and power far beyond that of any other pastime.

In a former page (206), Pepys alludes to a "famous race," appointed to come off on Banstead Downs, on July 25, 1663, which he intended to witness, but

which was postponed on account of the House of Lords sitting that day.* Here we find the races put off out of deference to the Legislature, but what is the case now? The tables have been completely turned, for now the Legislature defers, and pays its respects to Epsom Races, as the House of Commons annually adjourns over the Derby day! As a matter of precedence and antiquity—although it may appear somewhat *infra dig.* to institute a comparison between a body of so weighty and grave a nature as that represented by the Parliament, and a sporting matter—horse-racing dates even earlier than we have any clear account of the representatives of the people forming a House of Commons. The Derby is always run on a Wednesday, and that day is the least important of any in the week for Parliamentary debates or business; and thus, long before the question was tried of leading the House of Commons to take part in the national *fête* by suspending its sittings for the day, very many of its members had an opportunity of attending the festival, without neglecting any important political matters, although we have not the slightest doubt but that if honourable members ever possessed the inclination, the more serious duties of the nation would have been put aside without much hesitation or ceremony in order to

* We believe the race referred to was a *foot*, not a horse-race, as in his "Diary," of July 30, same year, and only five days afterwards, Pepys again remarks—"The town talk this day is of nothing but the great foot-race run this day on Banstead Downs, between Lee, the Duke of Richmond's footman, and a tyler, a famous runner. And Lee hath beat him, though the King and Duke of York, and all men almost, did bet 3 or 4 to 1 upon the tyler's head." Any way, the question does not affect the argument, and it is only pointed to for the sake of being somewhat accurate.

indulge in the more pleasant and sporting ones. There was as yet, however, that wanting which subsequently was effected, constituting as it were a sort of affinity between the Legislature and the Derby Race, but in the arrangement of which it was plain that the main elements of opposition would consist in the dignity of the one and the importance of the other. Although the private rights of individual members could not be curtailed by any action of the House of Commons as a body—except in the case of a "Call of the House"—and they were consequently at liberty to attend the celebration of the Derby or not, as they thought proper, yet there were many connected with the House of Commons, such as the Speaker, the clerks, and officers, who were deprived of the option without a final adjournment, and who were, therefore, prevented from participating in what was then looked upon as a universal holiday, and which it was considered might as well be recognised as such by the Legislature.

This was the question to be decided; and it was first submitted for decision in the House of Commons on May 18, 1847, when the late Lord George Bentinck brought forward the motion of which he had given notice, "That the House at its rising do adjourn till Thursday," and in doing so stated that for more than half a century the Derby day had been a recognised holiday. The late Mr. Hume took objection on a point of order, as the noble lord's motion stood number 18 on the paper, and he could not see "why the Derby should have preference in the House over everything else." The speaker, however, overruled the objection,

and the motion was agreed to. The wedge was inserted, and the following year we find that it was driven in a little further, as on May 23, 1848, the same noble lord, in bringing forward a similar motion, said he expected, in doing so, to have the ready concurrence of the House. "I need not say," quoth his lordship, "that to-morrow is the Derby day, and as that is recognised as a holiday in the metropolis, I have obtained the sanction of the noble lord, the first minister of the Crown, to my motion." We see that Lord G. Bentinck's motion was more boldly put before the House this time, but it again met with opposition from Mr. Hume, on account of there being an important Scotch Bill on the paper for that day.

Lord John Russell, however, replied that he did not think the Scotch members were anxious to bring their bill forward on that day, as it was a matter of opinion whether it would receive due discussion if they did; and "the Clerks would have to sit for some time at the table, waiting to make a house; and as it seems the practice to look upon to-morrow *as a national fête*, I have acquiesced in the motion."

Here we find the Government recognising and supporting the nationality of the festival, but notwithstanding this powerful advocacy, Mr. Bright opposed the motion, and although, on principle, the hon. member was not averse that the House should at times have its relaxation, "he thought it was below the dignity of that House to make the fact of certain races being held within a few miles of the metropolis a pretext for a holiday. If they were to have a

holiday for the Derby, why not have one for the Oaks?" The hon. member considered that to forego business for recreation would not elevate them in the eyes of the country; and he "understood that the noble lord opposite (Lord G. Bentinck) was not so great an authority on the Turf as he was formerly, having given up racing to become a politician. He had no objection to a holiday on rational grounds, but not on the undignified and unsenatorial ground of a great horse-race."

There is no doubt the chief cause of opposition from first to last arose from many members feeling that their dignity, as a grave deliberative body, would be in a measure compromised by giving way, and consequently, if they did not fight hard to the very last, they must nevertheless make some apparent effort to maintain it. Neither Mr. Hume nor Mr. Bright had any partiality for, much less enthusiasm in, the sport, to mollify their pride, and consequently the continued opposition of men with principles and ideas so diametrically opposed to the sport, is not a matter of very great surprise. Lord G. Bentinck, again, was a different character altogether in dealing with the question—he was the exact opposite of the others; and although the noble lord had quitted the Turf for the political arena at the time when he brought forward this last motion, yet he had not forgotten the pleasant memories of past scenes of his life in connection with the pastime, and was anxious that others should also be at liberty to enjoy the like. On this occasion, the House divided on the motion, when the ayes were 103, noes 90—there

being a majority in favour of the motion, or in favour of a constitutional recognition of the Derby race, of 13 representatives of the people; and amongst the leading men who voted in the majority is recorded the names of Mr. Disraeli, Viscount Palmerston, and Lord John Russell.

On the next anniversary, viz., May 22, 1849, the House divided again on the motion that the House should adjourn over the Derby day, when the ayes were 138, noes 119—majority in favour of the motion 19, and it was evident that the wedge had now become firmly fixed, as after the division, Mr. Aglionly rose and said that "he hoped a motion would be submitted that on every Derby day in every future year, the House should then be adjourned. Hon. Gentlemen would then know what they were doing. For his own part, after the decision to which the House had just arrived, *he would never venture, in any subsequent year, to oppose the Derby motion.*"

On May 28, 1850, Major Beresford moved the adjournment, and in doing so, stated that the holiday "for the last three years had been regularly voted." The motion was agreed to, Mr. W. S. Crawford and Mr. Hume contenting themselves with siimply entering their protests without offering any opposition; and from this time forward, the adjournment of the House of Commons over the Derby day has been a regularly understood and annual proceeding on the part of England's legislative representatives. Hitherto, in dealing with the question, its greatest difficulty consisted in members who had no sympathy or interest

in horse-racing as an amusement, yielding to what had become the general feeling and inclination of the House without compromising their dignity; but the barrier of pride being once broken down and removed, it became an easy matter thereafter to submit and resign their own opinions in favour of others, under the plea of custom and a majority. This, however, was not the only sacrifice required by the *insatiable* Derby day or race, for an important debate—a resumed one on Maynooth College, was ultimately adjourned over the Wednesday that the Derby was to be run on, it being considered judicious to do so. This was on May 25, 1852, when even the strict Mr. Newdegate saw it was no use opposing what had become a strong customory feeling and wish of the House, and "appealed to the experience of hon. members whether the custom had not been for many years that the House had adjourned over the Derby day."

It is sufficiently clear from the proceedings of the legislature in some of the succeeding anniversaries of the Derby day, that it had firmly resolved to share the enjoyment of the great national festival in common with the people. Thus on May 18, 1858, the motion for the annual adjournment was agreed to; and, in putting the motion before the House, Captain Vivian said, "he had no doubt that hon. members were anxious to have an opportunity of attending to-morrow those amusements *which were of such importance that they were almost a part of our constitution.*" Again, on May 15, 1860, Mr. E. James asked the noble lord then at the head of her Majesty's Government, whether

he intended to propose the usual Derby adjournment, and Lord Palmerston settled the question for ever in the following emphatic language: "Sir, I rather think that one may say that an adjournment over the Derby day would please the House. *In fact, to adjourn over that day is part of the unwritten law of Parliament.* I am sure that her Majesty's Government do not wish to ask the House to depart *from so wholesome a custom.* It has been usual to leave it to some private member to make the proposal, but I think that it is not exactly the proper way, and I mean, therefore, to propose on Tuesday that the House should adjourn at its rising until Thursday, the 24th."

The reader is now in possession of all the particulars as far as it is in our power to give relative to the past and present history of Epsom Races, and we have merely to add that a very curious match was run on Epsom Race-course on August 1, 1750, between Mr. Gresswood's horse *Crop* and Mr. Harris's hackney, for a sum of 100 guineas, by the terms of which the former horse was to run 100 miles before the other covered 80.* Crop went the first 20 miles in one hour and one minute, and the hackney covered fourteen and a half miles in the same time. Both animals tired soon after, and only went at the rate of about

* "Gentleman's Magazine," vol. xx., p. 376. In Mr. Whyte's "Hist. of the Turf," it is said this match came off on September 1, and that in going the 22nd mile both horses were so knocked up as not even to be able to make a trot, and they walked the course with their riders on their backs, people going before them with sieves of oats, to entice them on, which had a most ridiculous effect. Crop was sold immediately after the race for five guineas, but lived some years after and won his purchaser £500 in various matches.

four miles an hour, when it appears, that in order to accelerate their movements, the device was adopted of enticing them on by means of boys going before the horses and holding out a bowl of oats and a lock of hay. In 60 miles Crop had gained but four of the hackney, after that both horses recovered, and Crop went at the rate of 12 miles an hour, and would probably have won the match had he not been rode too fast, as soon after he fell down, and the hackney ultimately completed the 80 miles in about eleven and a half hours, when Crop had run but 94. This match was certainly an extraordinary one in respect of the plan used for "coaxing" the animals to exert their powers, and puts one in mind of the well-known picture of the "Donkey Race," in which the riders (two sweeps) are urging the animals forward by the moral persuasion of holding, suspended from a stick, a bunch of carrots within a few inches of the beasts' mouths.

CHAPTER V.

Miscellaneous Race Meetings.—Paisley: ancient racing act.—Durham: ancient recognizance, &c., relative to its races.—Lincoln: its sports; curious article in a racing agreement.—Northampton: corporation deed respecting its races.—Cumberland.—Newcastle.—Manchester: good conduct of the people during race time; curious handbill.—Liverpool.—Ascot.—Goodwood: remarkable race at, &c.

We have thus severally treated of the Chester, York, Newmarket, and Epsom Race-meetings, and shall here collect in a body and speak of a few more in which there are either some historical facts or other interesting particulars to be noticed. Before proceeding, however, it may be remarked that it is a matter of difficulty to point out, with any certainty, how, or in what manner, horse-racing originated in many of the different localities in which it sprung up from time to time. No doubt if the reasons were known, they would be found to be various. In some, the cause was probably entirely accidental—a chance trial of speed between two horses and their riders, which in all likelihood was repeated on their own part, perhaps once and again, or the example was followed by others, and the frequency of such occasional contests, or matches, in public, led ultimately to the institution of periodical meetings; and it seems almost beyond a doubt, that these chance matches were the foundation of the pre-

sent widely spread institution known as the Turf. Again, when such matches had become somewhat common, they would be noted as constituting an object of attraction, and the townspeople would not be slow to perceive the benefit they might derive from the frequent practice of the pastime, and there is no doubt that from the very first horse-racing met with great encouragement from them; later on, we have many instances of the encouragement and support accorded by the gifts of Town's Plates, &c. In a similar beneficial point of view too, was the pastime noted and encouraged by corporations and others who had local interests at heart. For example, we find it stated that as early as 1646 the prizes run for at Stamford Races were a contribution "by the nobility and gentry which are neighbours or well wishers to the town."* At Sheffield, where the races were established about 1713, it is mentioned that in that year "the town's trustees of Sheffield were at charges to get horses to the races."†

We have thus briefly endeavoured to account for the origin of the pastime in places where we gather no more from history than that "races were held" in the spot described, and now resume the subject as started with at the beginning of this chapter.

Perhaps one of the oldest records in connection with the Turf, is that in possession of the Town Council of Paisley, in Scotland, respecting an ancient prize of

* Butcher's "Survey and Antiquity of the Town of Stamford," p. 39.

† Hunter's "History of Sheffield," p. 196.

silver bells run for on their race-course quite two hundred and fifty years ago. The document is a curiosity in itself, and as an old sporting relic of the pastime it is inserted here at length.

"Act anent the Silver Bell.

"April, 1608. Item, It is concluded that ane silver bell be made of 4oz. weight, with all diligence, for ane horse-race yearly, to be appointed within this burgh, and the bounds and day for running thereof, to be set down by advice of my Lord Earl of Abercorn, Lord Paisley and Kilpatrick.

"Act setting downe ane hors raiss. Apud Paisslay, decimo tertio de mensis maij, 1620.

"The quhilk day Andro Crawfurde and Jon. Algeo, zounger, baillies of ye burghe thairof, with the counselle of the samyn, being convenit in the tolbuith of the said burt., with advyse of ane nobill and potent erle, James, erle of Abercorn, &c., proveist of the said burghe, for ordour taking with sundrie thingis concerning the commoune weill of the samyn, and namelie, anent the conclusion of thair bell race and efterschot, quhilk was of auld set doune and not effectuat. Thairfoir, It is now concludit and ordainit be the saidis baillies and counsell, with advyse and consent foirsaid, That zeirlie in tyme cuming, thair bell raice salbe rwne on the saxt day of Maij in mander following, viz., to be start at the gray stane callit St. Connalis' Stane, and fra that rich eist to the lytill house at the calsay end of Renfrew, and fra that the hie Kingis way to the Walnuik of Paisley, and quhat horse first comes over a scoir at [. . .] Renfrew sall have ane dowbill aingell, and the horse and mister yairof that first comes over the scoir at the said Walnuik of Paislaye, sall have the said bell with the said burghe's airmes yairoponn, for yat zeir. Togidder with the rest of the gold that salbe

gevin in with the said bell, In manner following (except ane dowbill aingell that salbe given to the secund horse and his maister yat comes nixt over the scoire to the foirmost; and to that effect the saidis baillies and counsell present and to come, with advyse of thair said lord proveist, obleist yame to give in zeirlie with the said silver bell, the pieces of gold following, viz., the said lord provist ane dowbill aingell, the saidis baillies and counsell ane vther dowbill aingell. Lyikas the noblemen haifand lands within the parochin of Paislay, as my lord Sempill, ane singell aingell, my lord Rose, my lord of Blantyre, [. . .] everie ane of thame ar willing, for the vphalding of the soid bell race, zeirlie to give in ane single aingell yaironto, and every awner of the horse that rwnes to produce ane singell aingell of gold to the said baillies before the horse be drawen out lyikas all the awnuries of the horses that sall happen to ryne zearlie salbe obleist to be present within the burt. of Paislaye, dayes at leist befoir the said raice day, and thair to be ready, with thair ryderis befoir ten houris befoir nowne, and the rydaris to be weyit at the trone of the said burt. of Paislaye, [. . .] stane wecht; qu hair the maisters or vtheris haifand power of thame, salbe present with the ryders in the tolbuithe of the said burghe for gifing up their names, casting of the dyce for their places in outleiding and the wandhandis. And becaus this present zeir is so far spent, it is concludit be the said Lord Proveist and vther noblemen, with advise of the said bailleis and counsell of yis burt., That the said bell raice be rune the first day of Junij nixtocum, fra the gray stane, callit St. Connallis' stane, to the said lytill house, and fra yat to the Walnuik of Paislaye, as said is haifand yair horse alwayis dyetit in the said burt. in manner foirsaid. And quha happens to won the said bell keipand yair wecht in manner above written, being weyit againe at the said trone, sall have the silver bell hung at his horse heid, and ye gold foirsaid. With this provisionne, that the maister of the horse, or any

vtheris haifing power of him, salbe actit as principall, with ane sufficient burgess man, as cautioner for him, conjunctlie and severallie, for productionne of the said bell to the saidis Baillies of Paislaye, als gude as he sall resave the samyn, with what augmentationne pleist him to adde yairto zeirlie apoun the said saxt day of Maij, befoir nyne houris in the morning, and quhatever horss beis not keepit and dyettit within the said burgh, the space foirsaid befoir the said day, and led fra Paislaye to the starting place they sall not be sufferit to runne in time cumming, and quhatevir horse winnis the said silver bell three zieris, togither, the maister owner yairof sall have the said silver bell to himselff conforme to the manner of vther burrowes.

"Item, It is concludit be the saidis baillies and counsell of the said burt. with odvyse of my said lord proveist, That ane efterschot raiss sall be run zeirlie in all tyme cuming, fra ane scoir at the scliittis of Ellirslie to ane vther scoir at the Calsayheid of the said burt. (now head of Lady Lane) of Paislaye, be horse of the price of ane hundredth mercs, Ryddand with the wecht foirsaid, for ane furnischeit sadill, Quhilk salbe zeirlie presentit be the saidas baillies of Paislaye, present and to cum, at the scoir at the said Calsayheid. And quhilkis of the saidis horses that sall happin to cum first over the said scoir at the said Calsayheid, the awner yairof sall have sadill, stok yairof, and covereign; and the owner of the secund horse that sall happin to cum secundlie over the said scoir shall have the furnischeing of the said sadill then presentit. The ryders allwayis of the saidas horses keipond their wechts they war weyit of befoir their furthdrawing, and na vther wayis."*

It is to be presumed the document is a perfectly genuine one, although we imagine it would take a

* "The Yorkshireman Newspaper," August 26, 1837.

thorough-bred Scotchman to comprehend the orthography or etymology of some portions of it. But whatever doubt there may be about the document itself, there can be none respecting the race of which it speaks, as only so recently as 1837, one of the races run on Paisley Course was for "The Silver Bells given by the Town Council of Paisley, with 120 guineas added by the stewards of 1836, for horses of all ages. The winner to have possession of the Bells dated '1620,' for the following year, under certain conditions." The race in the year named, was from the distance twice round, and was won by Mr. Ramsey's *Inheritor*.

The County of Durham ranks as one of the ancient sporting meetings of the country. In a former page, it has been shown that King James I. was at some races held on Woodham Moor, in April, 1617, but there is proof that the races were held here annually even previous to this date, as appears from the following recognizance, entered into for the purpose of providing a piece of plate to be run for yearly. The document is as follows, and bears date December 20, 11th James, or the year 1613:—

"The condition of this recognizance is such, that whereas divers of the knights and gentlemen of this county have dēlivered over into the handes and custodie of the above bounden Thomas Robson, the sum of fiftie Pounds as a stock collected and provided for the yearly bringing in of a piece of plate for a hunting prize to be ridden for at Woodham-Stowpes yearely, upon the Tuesday next before Palme Sunday, and soe to be contyned. If, therefore, the above bounden Thomas Robson and John Bainbrigge, or either of them, their heires, &c.,

shall yearely during the life of the above bounden Thomas Robson, bring and present, or cause to be brought and presented, to the now usuall weighing place upon Woodhammoore, yearely upon the Tuesday next before Palme Sunday, a piece of gold and silver plate, in the form of a bowle or cupp, or such like form, of the value of seven Pounds at the leaste, for a hunting prize, to be ridden for at Woodham-Stowpes, there to be disposed of, according to articles thereof made and agreed, &c., and also the next Tuesday before Palme Sunday, which shall happen after the death of the above bounden Thomas Robson, &c., and also shall bring and present the same day, the sum of fiftie Pounds of lawful English money, being the stock aforesaid, to be paid over to the said Sir George Selbie and Sir Charles Wrenn, or the survivor, &c., to be further disposed of as they, the said Sir George and Sir Charles, or the survivor, &c., shall think fit for the contynuance of the said prize, accordinge to the true meaning and intent of certyne articles made and agreed upon by the knights and gentlemen of this county, for the contynuance and tryall of the said prize; and if anie controversie doe arise touching the premisses, if then they and every of them doe performe such order as by the Temporall Chauncelor of this County shall be sett downe, then this recognizance to void, &c."*

The county races, we believe, continued to be held on Woodham Moor up to the reign of Charles II., when they were removed to the locality or suburb known as Old Elvet. Very early, the people of Durham seem to have been partial to the sport, for in the Appendix to Mr. Surtees' "History," there is a letter written by Mr. Arden to Mr. Stapylton, dated Auckland, March 3, 1662, in

* Surtees' "History of Durham," vol. iii., p. 332.

which he says, "This day wee have horse-races heare on Humwicke Moor. Mr. Davison has a little nagg runns with the like of Captain Darcy's. Mr. Bricknell rides Mr. Davison's nagg. There will be much compay there." The encouragement which the pastime received is instanced by a curious entry in the Parochial Register of St. Nicholas, as follows: "April, 1683. It is ordered that Simon Lackenby is to keep, in lieu of his Entercommon Ground, one sufficient bull for the use of the City and Borough Kyne, for three years next ensuing; and to give ten shillings towards a silver plate for a course."* This forced donation, however, is altogether eclipsed by the following act of gratuitous generosity as shown by the following "Durham Sessions Order," dated January 14, 1695, and most likely it is the only one of the kind that ever occurred:—

"It is thought fit and so resolved by the justices in open Court, that from henceforth their wages goe and be employed for and towards the procuring a plate or plates to be run for on Durham Moor. And that it be recommended to Mr. Mayor of Durham, Chairman at this Sessions, to communicate the same to the Bishop of Durham. And that the same continue until further resolution of the majority of Justices of Peace of this county. Signed George Morland, Mayor, Robert Eden, William Bowes, Ly. Vane, Henry Liddell, William Lambton, Ja. Clavering, Jo. Sidgewick, Robert Ellison, Robert Jennison."†

There is but one match, or rather race, to record, as having taken place in this locality to which any novelty

* "Topographical Beauties of England and Wales," vol. v., p. 70.
† Sykes' "Local Records," vol. ii., p. 370.

attaches: it was between six horses, three heats, two miles each heat, and was run on the ice on the river Tees, near Barnard Castle, January 15, 1740.

The County of Lincoln, like that of Durham, has an ancient sporting reputation. We have previously shown (page 42), that James I. was present at some races held on Lincoln Heath as early as the year 1617, but we are unable to ascertain, from any local or other records, with any certainty when horse-racing was first practised in the county. There is little doubt, however, that the races held at Stamford were amongst the earliest in this county, for in a work published so far back as 1646,* they are thus spoken of:—

"As touching the ancient and public sports used at this town, they are not many; in all but two: and too many by one. The one a sport savouring of manhood and gentry, and of a concourse of noblemen and gentlemen meeting together in mirth, peace, and amity, for the exercise of their swift running horses, every Thursday in March.† The prize they run for is a silver and gilt cup, with a cover, to the value of seven or eight pounds, provided by the care of the aldermen for the time being, but the money is raised out of the interest of a stock formerly made up by the nobility and gentry who are neighbours or well wishers to the town."

* Butcher's "Survey and Antiquity of the Towne of Stamford," p. 39.

† In Peck's "Annals of Stanford," published in 1727, there is a copy of Butcher's "Survey," &c., bound up with it, of a later edition, and a continuation by Butcher up to the year 1660, and which was intended to have been reprinted, first by himself, and then by his son, but from some cause or other was not, and (says Peck) is now first published from two MSS. copies compared with each other, to which are added his own notes. In one of these notes it appears from the MSS. that after "their swift running horses," the words, "*kept for the race*," should immediately follow. And in another note, that instead of being "*every* Thursday," it should be, "*the last* Thursday in March."

This is all the information this author gives us respecting horse-racing, but as we may perhaps have awakened curiosity concerning that particular sport alluded to so significantly as being "too many by one," we may as well state what it was; and in doing so it will prove, that whatever may be said of the evils attending or consequent upon the indulgence of the present national pastime, they were not so bad or demoralising in their nature, as some of those sports which fell into desuetude when horse-racing first began to be practised and finally superseded them altogether.

This sport, then, which our author condemns, he says is more ancient than horse-racing, "yet more beast like than any: It is their bull-running, a sport of no pleasure except to such as take a pleasure in beastliness and mischief. It is performed just the day six weeks before Christmas. The butchers of the towne, at their own charge against the time, provide the wildest bull they can get, this bull over night is had into some stable or barne belonging to the alderman, the next morning proclamation is made by the common bell man of the towne, round about the same, that each one shut up their shops, doores, and gates, and that none upon pain of imprisonment offer to do any violence to strangers, for the preventing whereof (the towne being a great thoroughfare, and then being in terme time) a gard is appointed for the passing of travellers through the same (without hurt). That none have any iron upon their bull clubs, or other staff which they pursue the bull with. Which proclamation

made, and the gates all shut up, the bull is turned out of the alderman's house, and then hivie, skivie, tag and rag, men, women, and children, of all sorts and sizes, with all the dogs in the towne, promiscuously running after him, with their bull clubs spattering dirt in each others' faces, that one would think them to be so many Furies started out of Hell for the punishment of Cerberus.

"A ragged troupe of boyes and girls
doe pellow him with stones:
With clubs, with whips, and many nips,
they part his skin from bones."

Such was bull-running—a sport in the practise of which there was not a single redeeming feature to recommend it; in which there was neither skill nor ability of any sort displayed, and of which the most lenient in passing judgment must aver was cruel, and what Mr. Butcher stigmatises as "beast-like." The whole exhibition was one destructive of public morality; and we think that that pastime, which in all its essentials showed by comparison what was a refined and noble emulation, combined with skill and excellence, is entitled to some favour, if only on account of its having been the means of abolishing a sport which called into play nothing but the worst passions.

Having digressed so far from the real subject of this work in order to lay before our readers a slight sketch of the sport called bull-running, we will deviate yet a little farther for the purpose of giving a brief description of bull-baiting, another sport much indulged in in

this country, and equally barbarous, which the more civilised pastime also extinguished. What follows are observations as noted down and published by a French gentleman during his travels in this country, and will be found accurately and vigorously described:—

"Here follows the manner of those bull-baitings which are so much talked of. They tie a rope to the root of the horns of the bull, and fasten the other end of the cord to an iron ring fixed to a stake driven into the ground; so that this cord being about 15 feet long, the bull is confined to a sphere of about 30 feet diameter. Several butchers or other gentlemen that are desirous to exercise their dogs, stand round about, each holding his own by the ears, and when the sport begins, they let loose one of the dogs."

The mode of attack by the dogs, and resistance by the bull, is then described, and we are told that the chief object in the latter's defence consists in

"Sliding one of his horns under the dog's belly (who creeps close to the ground to hinder it) and to throw him so high in the air that he may break his neck by the fall. This often happens: when the dog thinks he is sure of fixing his teeth, a turn of the horn, which seems to be done with all the negligence in the world, gives him a sprawl 30 foot high, and puts him in danger of a damnable squelch when he comes down. This danger would be unavoidable, if the dog's friends were not ready beneath him, some with their backs to give him a soft reception, and others with long poles, which they offer him slant-ways, to the intent that, sliding down them, it may break the force of his fall. Notwithstanding all this care, a toss generally makes him sing to a very scurvy tune, and draw his phiz into a pitiful grimace: but unless he is totally

stunned by the fall, he is sure to crawl again towards the bull, with his old antipathy, come on't what will. Sometimes a second frisk into the air disables him for ever from playing his old tricks: but sometimes, too, he fastens upon his enemy, and when once he has seized him with his eye-teeth, he sticks to him like a leech, and would sooner die than leave his hold," &c.*

Reverting again to Lincoln and its races, it would appear that very many years ago they were held on Wittering Heath, as the following fifth article of an agreement respecting these races testifies, and which agreement, from the originality of the wording, was undoubtedly of very ancient date, and is certainly a curiosity in the present day:—

"5th *Item*.—That if anye of the matched horses or theire riders chaunce to fall in anye of the foure heats, the rest of the riders shall staye in theire places where they were at the tyme of the fall untill the rider so fallen haue his foote in the stirrope againe." †

The author just quoted, also informs us that the first record of any particular prizes being run for at Wittering Heath races was in March, 1715, as appears by an advertisement in the "Stamford Mercury," as follows:—

"Stamford Plate, about £12 value, will be run for on Wittering round course on Thursday in Easter week next, 3 heats, 10 stone weight, the winning horse to be sold for £20. Every horse, &c., that runs, must be entered and

* Misson's "Travels over England," translated by Ozell, p. 25.
† Burton's "Chronology of Stamford," p. 243.

shown before the Mayor of Stamford, or his deputy, on Tuesday, the 27th of this instant, March, at the Nagg's Head in Stamford, between 2 and 4 in the afternoon, and to pay 2 guineas entrance."

There was a singular match run in the county some years ago, as appears from the "Westminster Journal" of June 23, 1744, which, under the head of "Country Affairs," says, "They write from Lincoln, that on Thursday seven night, there was a very extraordinary horse-race on the course of that City, between a six years old horse belonging to Southcote Parker, of Bliber, in that county, Esq., and one aged twenty-one years belonging to Gilbert Colecut, of Lincoln, Esq.; they ran 14 miles round the said course, and performed it in 39 minutes, for 100 guineas, which were won by the former by only a horse's length. There were great wagers laid, and the greatest concourse of people ever seen there on such an occasion."

A grand stand, built of stone, was erected in the year 1766.

In the county of Northampton, the pastime is certainly of very ancient date, inasmuch as its races were *annual* festivals two hundred and thirty years ago, at which period they were held at a place called Harleston, as appears from the following record :—

"The Corporation of Northampton, by deed bearing date January 16, 1632, in consideration of the sum of £200 paid by William Lord Spencer, and other gentlemen of the county, obliged themselves to provide yearly a Gilt Silver Cup and Cover, of the value of £16 13*s.* 4*d.*, to be ridden for on Thurs-

day in Easter week, yearly: with covenant, that upon notice given on the Friday in the race week that they will return the said money within the year following, then they shall not be tied, so are the words of the deed, to provide the said Cup any longer." *

The races continued to be run at Harleston until the year 1739, when they were discontinued. It seems, however, that horse-racing must have been practised elsewhere in the county even some considerable number of years before the preceding date of 1632, as the following agreement for a match, apparently between two members of the same family, and dated July 13, 1612, confirms:—

"It is agreed on betweene Henry Throgm'ton and Thomas Throgm'ton, the daye and yeare above written, that the above named are to meete together the Tuesday after Michelmas next, at Brackley Cwoorse, and thether to bringe a graye mare and a gray shorne mane nagg, and each of them to ridde the same coursse uppon equal wate in their one persones, for X † quarter of oats."‡

It will be noticed that Brackley *course* is mentioned in this agreement, which implies pretty plainly that the pastime was somewhat frequently indulged in by the Northampton folks even *previous* to the year 1612. The prize contended for in this match was a singular one, although the idea which suggested it was sensible enough; and what other prize would so effectually stimulate each animal to exert all its powers in order

* Baker's "History of Northampton," vol. i., p. 171.
† Ten. ‡ *Ibid.*, p. 573.

to triumph, supposing them possessed of the knowledge that it was their daily food they were struggling for?

In several parts of Cumberland, horse-racing was practised in the reign of Charles II. In Mr. T. Denton's MSS., several horse-courses are spoken of, as for instance, Barrock-fell, in Hesket; Low Plaines, in the same parish; Harethwaite Common; Woodcock Hill, in Woodside; the Sands at Skinburness and Drigg, at which place the races were annual, and a plate of the value of £10 was given by Sir W. Pennington, and run for. Langanby Moor was termed the famous horse-course of the north. There was also a celebrated one in Westward, and also one at Whitrigg, in Torpenhow. At Carlisle, horse-races were first held about the year 1750, and one of the severest races that ever was run took place here in 1761. In the race we speak of there were no less than six heats, and two of them dead heats; and each of the six having been honestly contested by the winning horse, it follows that he ran in good earnest twenty-four miles, yet there was no breaking down.* The first King's Plate was run for at Carlisle in 1763.

The earliest record we have of Newcastle races is from the corporation books of that town, in which they are mentioned under date August 6, 1695, when they were held on Killingworth Moor. A few years after this date they would appear to have been removed from this locality, as on August 26, 1707, it was resolved by the Common Council, "that for the future

* Youatt, p. 68.

no cords be used or paid for at Killingworth Moor." * In 1715, there was a Town Plate run for of the value of £25. In Sykes' "Local Records of the Town," † we find that "being Thursday in Whitsun-week, the first gold cup, given by the corporation to be run for upon the Town Moor, was won by Mr. Raikes, June 8, 1721." In 1742, Mackenzie says the Town Plate of £25 was changed to a Gold Cup of "£50 value, excluding the fashion and making." ‡ The Royal Purse of 100 guineas was first run for on June 25, 1753, on which day "the right worshipful Henry Partis, Esq., Mayor of Newcastle, gave an elegant entertainment at the Mansion House to the right hon. the Earl of Northumberland, Lord Ravensworth, George Bowes, Esq., and several other gentlemen, after which they went to the Towns-Court, and from thence accompanied the Mayor to the Moor, preceded by the proper officers, with the King's Purse of 100 guineas, to be run for on Newcastle race-ground. It was won by a bay horse named *Cato*, belonging to George Bowes, Esq., who generously presented the prize to the Corporation, for the purpose of purchasing a piece of plate for the Mansion House, in remembrance of his Majesty's grace and favour. This being the first King's Plate run for at Newcastle, it was computed that there were not less than 50,000 persons present. The piece of plate, now in the Mansion

* Mackenzie's "History of Newcastle," vol. ii., p. 599.

† Vol. i, p. 139.

‡ The object of these words being used was to show that the prize was of the full legal value, as by the 13 Geo. II., no prizes were to be run for of a *less* value than £50.

House, is a silver cup with a suitable inscription." * In 1756, the corporation gave £75 towards defraying the expenses of improving and putting the race-course in good order. Twenty years afterwards, viz., in 1776, a temporary, although rather elegant stand, was erected on the course by a Mr. William Loftus; but in 1800, the present Grand Stand—a handsome building of stone—was raisied by subscription. A further subscription was set on foot in 1822 for the purpose of altering the race-course, as there was an awkward hill on one part of it which the horses had to ascend in running, and the necessary improvement was accordingly effected.

There are several race-courses in the county of Lancaster, but the only really important meetings are those held at Manchester and Liverpool. Of the former, we can find no earlier record of their races than the year 1730, at which period they are spoken of as being held on Kersal Moor; and the King's Purse of 100 guineas was first given as an annual prize to be run for in 1824, as appears from a notice in the "London Gazette" the previous year. But if the Manchester folks can claim no great antiquity in the practice of the sport, they are entitled to credit for having supported their local meetings with spirit ever since they were first instituted. Like their Yorkshire brethren, the lads of Lancashire are greatly given to the pleasures and excitement of horse-racing: their races are always well attended, and they are so keen with respect to the *Prices Current* of the Turf,

* Sykes' "Local Records," vol. i., p. 206.

that they have an "Exchange" of their own which regulates betting transactions like Tattersall's. Generally speaking, there is scarcely any difference in the market price, as shown by the odds in betting between London and Cottonopolis, but should operations in the latter market show a strong feeling either in favour of or against any particular horse, it is always judicious to do as Captain Cuttle did—"when found, make a note of it."

We cannot omit mentioning here an historical occurrence of the years 1819-20, which speaks well for the peaceable character of the Manchester people under aggravating circumstances, and proves, beyond a doubt, that horse-racing as a national pastime is possessed of primary and good sterling qualities which far outweigh any secondary evils attaching to it. The occurrence we allude to is that affray so well-known from the name given it of the "Field of Peterloo," and briefly described is as follows:—

It appears that during holiday time in Manchester in 1819, a great Reform Meeting was held at which there were from 60,000 to 100,000 people assembled, and that soon after the Chairman had spoken a few words, the meeting was suddenly assailed by a charge of the Manchester Cavalry, as also by a Cheshire regiment of Yeomanry, and a regiment of Hussars, the outlets also being occupied by other military forces. The consequence was, the unarmed and defenceless multitude were driven one upon another, by which many were killed, and others were either rode over by the horses, or cut down by their riders. Altogether,

there were about 600 killed and wounded in this unwarrantable outrage. We are not going to enter fully into particulars of this sad event, but it is certain the Manchester people were indignant at the way in which they had been treated, and long remembered the occurrence; and the following extracts from Lord Strafford's evidence before a Committee of the House of Lords on Gaming in 1844, will explain itself, and show in what way there became a connexion between the unfortunate occurrence alluded to, and the Races as held there :—

Question.—I believe your Lordship was in command of the Manchester district in 1820?

Answer.—I was.

Question.—At that time had the population of that district been very much excited?

Answer.—In a very great state of excitement.

Question.—I believe you had a large military force there to support the civil power?

Answer.—Yes.

Question.—After the riots at Manchester, did not a considerable number of persons wear white hats with black crapes on them, as a commemoration of those who had been killed and wounded the year previously?

Answer.—Yes; a great number I saw myself.

Question.—Were the magistrates at that time at all alarmed when the period was approaching at which the races at Manchester were to take place?

Answer.—They were, because they happened in Whitsun Week, when it is a general holiday in the manufacturing districts in that locality.

Question.—I conclude that your lordship attended those races?

Answer.—I did.

Question.—What was the conduct of the people during those races?

Answer.—Nothing could be better, or more quiet, or good-humoured.

Question.—It appeared as if there was an armistice for the three days of the races?

Answer.—Nothing in the shape of bad feeling existed, as far as I could see, and I went among them.

Question.—Though there was at that time great excitement still existing in the minds of the people, they behaved very peaceably and quietly during the whole of the races?

Answer.—Nothing could be better, and I never saw at any races more orderly behaviour.

Question.—Do you account for that by their being amused with the races?

Answer.—Because they enjoyed the races. It is an annual business in their holiday week, and they attend in such numbers that on the race-course, after the last horse has passed, the moment they close in the race-course is so full that you might walk on their heads.

Question.—Was it your opinion that it would have been highly inexpedient to have stopped the races, in consequence of the previous excitement of the people?

Answer.—Quite so.

Question.—You thought there was no danger of there being any violence so long as the people were amused; but you thought it was possible, if they were disappointed in their annual sport, that they might not have behaved themselves quite as peaceably?

Answer.—Exactly so.

Question.—Have you attended in the course of your life a great many races?

Answer.—Yes; but for the last six years, I have not attended races more than three or four times.

Question.—Have you not always observed that the great body of the people enjoy that amusement very much?

Answer.—Certainly; and the clearest proof of it is their obedience in keeping the course clear. They assist the police.

Nothing we could say would add force to the evidence as given above, either as regards the good conduct of the Manchester people on the occasion referred to, or as to the occasional good effects resulting from the indulgence of horse-racing as a pastime as instanced in this case; but we mark our sense of their propriety of conduct by making them a present of the following, which was printed in the shape of a handsome hand-bill, and which appeared in Manchester sometime in the course of the year 1829:—

"Spanker,

"The property of O * * D * *

"Saturday, the sixteenth of September next, will be sold, or set up for sale, at Skibberdeen,

"A strong, staunch, steady, sound, stout, safe, sinewy, serviceable, strapping, supple, swift, smart, sightly, sprightly, spirited, sturdy, shining, sure-footed, sleek, smooth, spunky, well-skinned, sized and shaped, sorrel steed, of superlative symmetry, styled *Spanker*; with small star and snip, square-sided, slender shouldered, sharp sighted, and steps singularly stately; *free from* strain, sprain, spavin, spasm, stringhalt, sciatica, staggers, strangles, seeling, sellander, surfeit, seams, strumous-swellings, sorrances, scratches, splint, squint, scurf, sores, scattering, shuffling, shambling-gait, or symptons of sickness of any sort. *He is neither* stiff-mouthed, shabby-coated, sinew-shrunk, spur-galled, saddle-backed, shell-toothed, slim-gutted, surbated, skin-scabbed, short-winded, splay-footed

or shoulder-slipped; and is sound in the sword-point and stifle-joint. *Has neither* sick-spleen, sleeping-evil, set-fast, snaggle-teeth, sand-crack, subcutaneous sores, or shattered hoofs; *nor is he* sour, sulky, surly, stubborn, or sullen in temper. *Neither* shy nor skittish, slow, sluggish, or stupid. He never slips, strips, strays, stalks, starts, stops, shakes, snivels, snuffles, snorts, stumbles, or stocks, in his stall or stable, and scarcely or seldom sweats. Has a showy, stylish, switch-tail, or stern, and a safe set of shoes on; *can feed on* stubble, sainfoin, sheaf-oats, straw, sedge, or Scotch-grass. Carries sixteen stone with surprising speed in his stroke over a six foot sod or stone wall. His sire was the sly *Sobersides*, on a sister of Spindleshanks, by Sampson, a sporting son of Sparkler, who won the sweep-stakes and subscription plate last session at Sligo. His selling price sixty-seven pounds, sixteen shillings and sixpence, sterling."*

The races annually held on Aintree Course at Liverpool are of very modern date, and are first mentioned in the "Racing Calendar" for 1827, in which year, although the first commencement of a regular and systematic meeting, yet with such spirit were they inaugurated, that the entries were not only large ones, but very many of the best northern horses appeared in some of them. There are bigots in some shape or other to be found in all classes of society, and almost in every nook and corner of the kingdom, and it is not a matter of surprise, therefore, that on this occasion the establishment of the races met with some opposition. Good sense, however, in the shape of advocating a rational amusement, and one likely to be advantageous to the tradesmen of the town and neighbourhood,

* Hone's "Year Book" for 1838, p. 1096.

triumphed. The majority of the town's people were in favour of the races; and at a Town Council held in Liverpool, February 13, 1828, a memorial was presented, signed by upwards of 300 inhabitants, begging the corporation to patronise the races. The result was another blow for the oppositionists, and a victory for the people, for after a long discussion, the council voted a sum of 120 guineas as a Town Plate for the first horse, and 30 guineas for the second, but, at this time, the grant was confined to the next year's races. The races not only met with this strong official support, but were strongly backed by personal liberality, as the races for the following year, 1828, included two good additional prizes in the shape of a Gold Cup of the value of 100 guineas, given by Mr. Lynn of the town, and proprietor of the Waterloo Hotel, and a Maiden Plate of 60 sovereigns, presented by Mr. Penn, of the Crown Inn, Redcross-street; the tradesmen of the town also subscribed and added a Cup, valued at 100 guineas, and also 100 sovereigns in specie to be run for. Since this time, the races held here have made good progress and been well supported, and Liverpool can now boast of three good meetings in the year. There is a very large and handsome grand stand of four stories high on the course, which was erected in 1829. The Royal Purse of 100 guineas annually run for on the Aintree was originally presented by King William IV.

Previous to the first regularly constituted races as run for at Liverpool in July 1827, there were horse-races—or a species of sport honoured at the time with

that name—annually run on the sands, or north shore of the River Mersey, but indifferent as was the sport itself, the "propensity" for it amongst those who constitute the first commercial community in the world "leaked" out in the fact of their creating a very lively interest, and drawing a good attendance; and this sporting tendency was further evidenced by the circumstance that the races held at Ormskirk—which were established in 1807, but given up in 1816 through the enclosure of the common on which the races was held—were mainly patronised by the inhabitants of the good old town of Liverpool. It is an old saying that "coming events cast their shadows before;" these *signs* were *noted*—the north shore sands which had hitherto sufficed for the races (such as they were) to be run on, began to be looked upon with contempt. A change of venue was contemplated; and a match for £50, two miles, between Mr. Thompson's gray horse, and a bay horse, the property of Mr. Case, was for the first time (we believe) run on some meadows belonging to Mr. Farmby at Maghull, on August 30, 1825. The match excited considerable attention, and on the day, it is said, "pedestrians might be seen in all directions"* wending their way to the point of attraction. "Equestrians thronged to the scene of action; and for more than a mile, the road from Liverpool to Maghull might be seen crowded with horse and foot." The scene, we are told, was highly animated. "Mr. Dobson†

* "Sporting Anuals," vol. viii., p. 239.

† A name well known and respected in Liverpool and its neighbourhood.

appeared with his pupils, whose cheerful smiling countenances manifested the delight which they experienced on the occasion; and there was also a considerable display of female beauty." The gentlemen rode their own horses, and Mr. Thompson won easily. Of course, after this taste of the fresh, green turf, it was not to be expected that the north shore sands would be again relished, and accordingly one fine morning in October of the year following, a survey of the ground for a new and permanent course was made by several gentlemen, and the spot selected was some grassy land on Sefton meadows, and thus originated Liverpool races, as now annually held on Aintree.

We close our remarks on the subject with an extract from a well-known sporting writer,* illustrative of these races before there was any railway communication between the town and the race-course :—

"Before there was a railway from Liverpool to Aintree, the very mud-carts used to be pressed into the service for the day, and sixpence there and sixpence back was the tariff. A fiddler and twelve or thirteen mates, male and female, were squeezed into that narrow compass. On one occasion (1843) we were passing along the footpath, when a troop of these Bacchanals sturdily refused to alight at the entrance of Liverpool; but in an instant the linch-pin was drawn, and they were all shot out. Their fiddler, nothing daunted, rallied them like another Tyrtæus, and the dancing went on merrily in the dusty road, till the next vehicle rudely broke the ring. We doubt whether one of them had looked at a race that day."

In the county of Berks, in the parish of Winkfield,

* "The Post and the Paddock," by Druid, p. 4.

and about $5\frac{1}{2}$ miles from Windsor, is a spot which in olden times has been known by the name of Riselip or Ruislip, and Eastcot, and in modern ones, by that of Ascot. We have previously observed that every race gathering is marked by some peculiarity as a collective mass which distinguishes it from others, and the right Royal Ascot race-meeting is no exception to the rule: Epsom is the saturnalia for a great crowd and tremendous confusion, bustle, and excitement, and Ascot is noted for its genteel quietness and aristocratic assemblage.

The Ascot meeting is the next important one succeeding the great Epsom Carnival, and any one attending both for the first time, could not fail to observe the striking contrast between the two. Horse-racing here was originated by one of the Dukes of Cumberland, viz., William, uncle to George III., and the first authentic notice of races being held here was in the year 1727, when there were two prizes contended for, one being a purse of 40 guineas, the other of 30. The next year, there was only one day's racing, and but one race run, which was for a purse of 40 guineas. There were no races at Ascot in the years 1729, 1731 to 1734, 1737 to 1738, and 1740 to 1743; but in 1744 the Yeomen Prickers' Plate of £50, free only for hunters, &c., was instituted. In 1769 an addition to the sport was made by the members and Corporation of Windsor each giving £50 to be run for. In 1771 a subscription of 5 guineas each was entered into by Henry, Duke of Cumberland and several others for a Gold Cup to be run for at Ascot in the following year.

Other additions to the sport were made from time to time; and in 1807, a race for a Gold Cup, valued at 100 guineas, was instituted. The Royal Plate of 100 guineas was given in 1785. The Grand Stand was built by a subscription of 100 shares of £100 each, and was first opened to the public in 1839. The total amount of money run for in stakes last year, at its one meeting in June, was £11,431.

These races are generally patronised by the Sovereign and many members of the Court, as well as the nobility and gentry in large numbers; and as the prizes are all very valuable ones, and most of the best horses of the day contend for them, the meeting altogether is a *recherché* one. The races here also are not only royally patronised, but supported in the same sense, as no rent is paid for the Ascot race-course, it being kept up by the Master of the Buckhounds. It has likewise another distinguishing feature from other races, inasmuch that the certificate of having won a Queen's Plate must, in the cases of those run for at Ascot, be signed by the Master of her Majesty's Hounds, instead of by the Lord Lieutenant of the County as in other cases.

In one of the races run here on June 23, 1793, a very remarkable accident happened to a horse belonging to a Mr. Anderton in running the third heat. "After the horse had gained the summit of the hill, he suddenly faltered, and with the shock, threw his rider to a considerable distance, without falling himself. Upon examining the horse, it was found that both fore legs were broken, and that he had galloped near 18

yards on the stumps."* The accident was accounted for from the fact of the ground being very hard, by which the fetlock joint of the off fore leg was dislocated, and in running at full speed, the near leg just above that same joint was completely broken.

Somewhat similar to Ascot in point of rank and fashion, stands Goodwood and its races. Some time in the course of that year in which the union of Ireland with England became a fact, some officers of the Sussex Militia, in conjunction with the members of a local hunt club, made arrangements for a race-meeting to be held at Goodwood the following year. The undertaking met with due encouragement, the inhabitants of the neighbourhood were favourable to the enterprise, and those entrusted with the management putting their shoulders to the wheel in good earnest, a sum of £313 public money was collected to be given away as prizes, in addition, we believe, to about £300 in sweepstakes, and the races were held for the first time on the Goodwood course in April, 1802. In the year following, principally from want of funds, the races fell off in point of attraction;. and in 1804, from the same cause, there was a greater falling off still, as there was but one day's sport. For several years these races met with very poor encouragement, and in 1810 there was but two day's sport, and a very little over £200 run for. Even up to 1825, the public money given varied from between £80 and £300, and the sweepstakes amounted to something between £60 and £600. Two years later, a decided improvement took place, and the

* "Annual Register," vol. xxxv., p. 29.

amount of money run for exceeded £2,000. In 1829, the race-course was altered and improved, and the total amount of cash, in the shape of stakes, was £3,285. The year following, the new Grand Stand was opened; and in 1831, the Royal Purse of 100 guineas was procured to be annually run for. From this period, Goodwood races made great progress; and between the years 1832 and 1835, the average annual amount of the stakes contested for was £6,000. In 1837, the amount had increased to £11,145; and what with the large sum of money spent upon improvements by the Duke of Richmond, and the personal exertions and good management of the late Lord George Bentinck, this meeting made such wonderful progress, that in time it not only rivalled, but even eclipsed, many of the other principal meetings. In 1845, the value of the stakes run for amounted to the large sum of £24,909! a substantial proof that the title of "Princely Goodwood" was not misapplied. These races, however, fell off somewhat after Lord George Bentinck's death, but yet rank in the first class, and the annual money run for here is still a large amount, that of last year reaching a total of £11,274. The race-course is situate on a hill, and the scenery around is most beautiful and picturesque. There is only one meeting in the course of the year which is held in July.

In the year 1835, a race was run at Goodwood, in which there was something remarkable in the proceedings and result of it. The race we allude to was for the King's Guineas, for which two only started, viz., *Lucifer* and *Rockingham*, the latter horse having won,

almost in a canter, the *Cup* on the previous day. Three other horses were also weighed for, and although none of them actually started, this circumstance, as also the uncertainty that existed whether *Rockingham* would start or not, even almost up to the last moment, caused considerable fluctuation in the betting—the odds at one moment being laid against 5 animals, and then shifting and only quoted against 2. *Rockingham* and *Lucifer*, however, were the only 2 competitors, and when they started, the betting was 5 to 1 *on* the first, and 3 and 4 to 1 *against* the second. In the race, *Rockingham* led at a moderate pace, but at the distance-post had completely defeated *Lucifer*, who was ten or a dozen lengths behind him; seeing this, and hearing Forth call out to the boy who rode *Lucifer*—Twitchett—to pull up, Robinson began to ease his horse, under an impression, which was shared in general by those looking on, that he had only to canter up to the post. The rider of *Lucifer*, however, instead of pulling up as ordered, kept his horse going, so that when *Rockingham* reached the stand, there was not half the distance between the two that there was at the distance-post; and Twitchett at this moment making a desperate rush, completely took Robinson by surprise within a few yards of the winning-post, and before the latter could get his horse into action, had won the race by two lengths, to the utter astonishment of every person on the course! To show how folorn the chances of *Lucifer's* winning appeared at the distance-post, we may state that a bet of £100 to half-a-crown was actually laid on *Rockingham* at the stand. An exactly

similar case, as regards result, occurred between S. Rogers and Fordham, the former on *Wild Rose*, and the latter on *Amy*, at the Newmarket first October meeting of the past year, when the latter was so distressed at his unexpected and unaccountable defeat, that it was some days before all the soothings of his friends could make "George" himself again. And at Doncaster for the great St. Leger of 1822, a race, quite unexpected as to result occurred when Mr. Petre's Theodore took it into his head to run quite contrary to the opinions of owner, trainer, jockey, and every body else who entertained an opinion upon the matter. This horse, it appears, had run very well as a 2-year old, but his performances just previous to the great race had been so wretched, that Jackson, his jockey, was wandering about the course, it is said, almost heart-broken at his miserable chance for the race because Mr. Petre had claimed his right to his services as his first master. Mr. Petre himself, it was also stated, had been *fortunate* enough to get rid of his betting-book, *with a bonus*, by handing it over to another gentleman whom he had induced to take it with its risks ; and the jockey's spirits were not enlivened by hearing odds of "a hundred guineas to one" offered and laid against Theodore; nor did it in any way increase his faith in hopes of success, when he found that a bet of a hundred guineas to a walking stick, of the value one shilling, had actually been laid against the horse he was to ride. In the race itself, however, Theodore completely upset all previous calculations, for Jackson, managing to get off well at the start, kept his horse going,

and finally, amidst a scene of great excitement and astonishment, landed his horse first past the winning-post. These three cases may be taken as remarkable instances of the uncertainty attending horse-racing.

Of the many other meetings than those already described which are held in nearly every city and town of any note, at least once in the course of the year, there is nothing of sufficiently interesting importance to relate respecting them to justify their being noticed here. We know of no local records which would either establish antiquity, or furnish any additional facts than those given herein or already well known; and the many and various particulars furnished relative to Chester, York, Newmarket, Epsom, &c., have served our purpose so far as to *prove* that the national pastime is of very ancient origin; and that from the very first, it has been fostered and encouraged no less by Sovereign support and patronage, than by popular opinion and inclination. In the earlier periods of horse-racing, there is no doubt the main object of the support awarded the pastime was to improve the breed, but even then it was not unmixed with the pleasure derived from the noble and interesting practice of it as in the present day. With the gradual progress of the pastime, so we find a gradual change in its nature; its original or native features began to be encroached upon and perverted; and the consequence was, that whereas all hitherto had looked upon the sport as perfectly harmless, some at last began to view it in a less favourable light. Still the pastime kept on increasing, and made such progress, that the period soon arrived when the main

object of its first encouragement had been accomplished. Owing to the various contests and the spirit of competition excited thereby, the *racer* had been brought, by crossing with foreign blood, and a judicious system of training, to the highest point of perfection it was considered it could be brought; but unfortunately this degree of success had not been attained without a corresponding sacrifice of some of its original purity, and then we find some who would destroy the sport altogether, urging as a plea for doing so, that as the principal object horse-racing could achieve had been accomplished, there was no further use in its continuance, and therefore the vices which had sprung up or grown out of its practice ought, and could only be effectually rooted out, by sweeping away the whole institution.

Thus, viewed *pro* and *con* in this sense, there was perhaps but little cause for congratulation upon success; less satisfaction felt indeed when the grand point of success had been reached, than at any period during which it had been struggling to reach the pinnacle. We are not going here to enter into any lengthy argument in the matter, but, as we have said elsewhere, it is pretty evident that the abolitionists kept out of view altogether the fact, that in every probability, without there still continued to be encouragement in the shape of publicly contested rewards held out to breeders, &c., that the racer would degenerate in far less time than it took to perfect him. Again, no thought appears to have been given to the many who are so deeply and directly interested in the sport—

we do not allude to betting men, but to breeders, trainers, jockeys, &c., and greater than all, in point of numbers at least, the inhabitants of the various localities in which the races are held. Are all these to have no voice or no consideration in the matter? Look again at the railway companies, do they not benefit largely by the increased numbers they carry on account of horse-racing? In our opinion, whenever the question of Turf vitality is seriously discussed, these matters will be found of sufficient magnitude and importance to far outweigh whatever evils may be mixed up with the sport. It cannot in reason be expected that an institution of some centuries' duration and of such vast proportions, and one moreover from its nature so liable to abuse, should have remained free from all taint; what institution, indeed, can claim exemption in this respect? And if the evils are really so great as to require a sovereign remedy, let those apply themselves to the task who are at the same time its greatest supporters and the natural guardians of its honour. The task of eradication is not so difficult were those seeking to accomplish it earnest in their endeavours; and there is no fear of the interests of the Turf ever being seriously affected, as long as those who hold the position of its chief guardians make judicious use of their own powers, keep themselves beyond reproach by their own line of conduct, and act in a strict spirit of equity in regard to others.

PART III.

CHAPTER I.

Changes in the pastime.—The newspaper press and the pastime.

It is generally found that most institutions in the course of their progress from inception to maturity, present something of the nature if the chamelion in the various changes which occur from time to time, and such is the case with respect to horse-racing, or what some years after its origin was denominated the Turf. Some of the alterations as effected have already been exemplified in the course of the previous chapters, and it may be as well to particularise some of the others, and the causes that led to them. Thus, previous to the reign of James I., the horse was appreciated more for its general utility and military service in the field, and in an age when not only horsemen fought in armour, but the horses themselves were clothed in mail, *strength* in the animal was far more essential than speed; hence we find that the

object of early statutory enactments was to provide a strong breed for the country, and as at this period horse-racing had not made sufficient progress to require a light and speedy breed specially for its own purposes on the race-course, the object desired did not meet with that opposition which undoubtedly it would had the pastime then been as universal and consequently important as it became later on. With the invention of gunpowder, however, and the use of fire-arms, the whole character of warfare was changed, and the great and powerful horse became, comparatively speaking, useless. Another change was necessary in the breed, and the great and lumbering horse was to give way to a more light and active one. The heavy class of horse had not only become useless, but the habits of the age required something different: the horse began to be used for purposes in which grace and action in the animal would be viewed as one of its principal merits; and horse-racing also had made such gradual and sure progress from the commencement of James I.'s reign, that in connexion with it, the race-horse assumed and was acknowledged to have a quality essentially belonging to it, and quite distinct from other breeds and the purposes required of them. It was not long then after a change was found requisite, when horses began to be specially devoted to, and bred for, the race-course; and this change was not only effected, but as a consequence thereof, the pastime itself was greatly encouraged by the moral support of public races, and the more weighty one of prizes which were given as rewards. Speed now became the forte in lieu

of strength, and the horse in this respect made wonderful and rapid improvement. King James I. by the support he awarded the pastime, firmly established it in public favour; and a little later on, in the reign of Charles II., as a further encouragement, we find that the public prizes given were vastly increased in value; and, ultimately, horse-racing became possessed of another feature in wagering or betting, which, if it did not add to the intrinsic importance of the pastime, at least widened its operations.

Such were the main alterations and the causes that produced them, but there were also various others, or what may be termed secondary ones, which in their nature, indirectly, were the means of producing some change, and others again which directly affected the Turf in the same sense, and what these were will be seen in the course of the following narrative of events connected with the pastime.

As already stated, one of the greatest drawbacks to the rapid progress of the pastime in its early days was the want of ready and quick communication between different parts of the country, and public and general notoriety by means of the newspaper. There is no doubt horse-racing would have increased both in practice and reputation even without the assistance of the fourth estate, as the pastime was one so peculiarly suited to English habits and tastes, but its progress would have been slow indeed compared with what it was with its help. Eighty years ago, as also later still, the Derby, Oaks, and St. Leger races, were annually being run for, and as far as the terms of sub-

scription went, were as valuable as they are now; but they did not attract any particular or wide notice, simply because the newspapers had not as yet created for them a general interest by taking any particular notice, or devoting any special portion of their columns to record and render them prominent. But when the newspapers did put their shoulders to the wheel in respect to making Turf transactions a somewhat leading, extensive, and customary feature in their columns, what a wonderful change was effected in the speedy and wide renown of the pastime! Horse-racing in general, and the Derby, Oaks, and St. Leger in particular, soon became common topics of conversation, and almost every-day ones, in all parts of the kingdom, when the newspapers themselves began to be circulated over the country a few hours after they were printed by means of railway locomotion.

We believe the first newspaper that made Turf transactions a leading or special feature in its columns was the "Evening English Chronicle," as would appear from an advertisement in the "Racing Calendar" for 1779, in which the newspaper proprietors state that "as they intend to introduce an article of intelligence to be regularly continued upon a plan not attempted before, they think it necessary to be particular in this information, as not only the advertisements of Races will be found and best circulated therein; but under the title of *Sporting Intelligence*, every public occurrence which takes place in that particular line will be immediately registered in this paper as it happens, and be warranted authentic from the highest authority."

The facilities of locomotion also materially assisted in helping the pastime to make progress, by enabling horses the more easily to be sent to all parts to contend for the various prizes offered, and all these causes combined soon increased the number of subscribers to, and the value of, the different stakes; added to the importance of the pastime in a public point of view; and by drawing additional numbers to witness the contests, soon converted, what may then have been considered mere local amusements, into a great national one.

Horse-racing, however, even before it obtained any material assistance from the fourth estate, had extended its operations sufficiently to create for itself a want in so far as to require a special publication for the record of its many and various transactions, and this want was in the first instance supplied by a very small duodecimo volume which made its appearance towards the latter part of Queen Anne's reign, and contained the names of the winners of the Royal Plates at York and Black Hambleton, and subsequently by the "Racing Calendar," of which we give the history in the following chapter.

CHAPTER II.

The Racing Calendar, history of.—Origin of the Races at Farn in Cheshire; Kippling Coates in Yorkshire; and Barham Downs in Kent.—Sporting publications.

THE "Racing Calendar" was originated in 1726, by Mr. John Cheny, of Arundel, in Sussex, who in that year issued proposals to publish yearly by subscription, for seven years successively, an historical list of all horse-matches run for in England, of the value of £10 and upwards, with the names of the owners of the horses, &c. The first volume was published in 1727, price seven shillings and six-pence; and as a proof of the then popularity of the pastime, and the extensive and high patronage accorded, this volume had nearly five hundred subscribers, including about a hundred people of rank, viz., 14 Dukes, 57 Honourables and Right Honourables, and 29 Baronets.

The task undertaken by Mr. Cheny was anything but an easy one, and particularly in the first instance, when we consider that the returns had to be collected from so many and wide localities, at a period upwards

of a hundred years previous to the railroad era,* and when travelling not only became laborious and wearisome to the body, but also occupied a deal of time. Despite difficulties, however, Mr. Cheny was determined to succeed in his undertaking, and also in making his work acceptable to the sporting public by giving a full and true account of the racing; and he tells us that in the ensuing year, he "travelled the kingdom over, contracting a correspondence in every part with persons who, at the very time of sport, are to take accounts for me where I do not appear." The personal exertion must have been very great, and it is not a matter of astonishment that its publication was at times somewhat delayed, and for which we find him thus apologising:—"'T is this, together with the trouble I have often taken of riding from man to man for information to render these accounts as just as possible, has delayed the publication."

From an advertisement in the volume for 1732, it appears that as "the diversion of horse-racing had advanced to such a height," and the previous period of subscription had nearly expired, many of his patrons recommended a continuance of the work on an enlarged scale, and that in addition to the annual volume, a sheet calendar would be published once a fortnight, for transmission by post, which plan was carried out in 1734, when the price was five shillings, in advance, and ten shillings and six-pence at the end of the season. The volume for 1735, shows that complaints

* The first railroad for passenger traffic—the Liverpool and Manchester—was opened September 15, 1830.

were again made of the delay in publishing, to remedy which, it appears a new arrangement was made, "with a view of hastening it a month." The contents of the "Calendar" at this period were an account of the races run; the different places at which King's Plates were given to be run for; and the several counties in alphabetical order, &c. In the volume for 1739, the rules and regulations to be observed in running for the King's Plates, by permission of the Duke of Richmond, the then Master of the Horse, were added, and it also contained a list of the prizes for that year, showing the qualifications required, &c.

In a former part of this work it will have been seen that from and after June, 1740, all prizes of a less value than £50 were prohibited to be run for by the Statute of 13 George II., and as a consequence many of the previous races became extinguished, and the practice was confined either to races for sums of, and above, the value as stated, or else to races where the sums run for under that value had been the gift of legacies, which the Act provided for and rendered legal. This alteration in the sports, we find noticed in the "Racing Calendar" for 1740–41, the volume for which commences with an account of the racing at Farn, in Cheshire, Kippling Coates in Yorkshire, and Barham Downs, in Kent, where, it states, "the foregoing prizes are all *free* from the influence of the late Act of Parliament, being settled for ever;" by which was meant, that the prizes run for at those places came within the *proviso* of the Act, respecting any prizes arising from gifts or legacies. And perhaps it may not

be out of place to mention here the origin of these several prizes.

The prizes run for at Farn were founded by a subscription, the interest arising from which allowed of two sums being given, the first amounting to 9 and the second to 21 guineas, and to the respective prizes were added the entrance money of the preceding year. The second prize had one or two rather severe conditions attached, for it was incumbent on every non-subscriber to pay 5 guineas entrance, and 5 more if distanced; but both the entrance and forfeits, as well as the entrance of subscribers or their successors, are all added to the second prize of 21 guineas in the following year.

At Kippling Coates, the free prize was rather strangely founded by a body of fox-hunters, who, it is averred, taking a fancy to the wolds of Yorkshire, were pleased to deposit the sums from whence the prize annually arose. The prize thus created was only a small one, being but 16 guineas; but no doubt it was a doubly welcome one as long as the Act of 13 George II. remained in force.

The annual free prize run for on Barham Downs was of the value of 10 guineas, which it is said was founded by a public-spirited and well-meaning lady, who, on her leaving this world, bequeathed a sufficient sum to produce the above amount, to be run for on Easter Tuesday.

Returning again to the "Racing Calendar," it may be mentioned that the merit of originating a Stud Book is apparently due to Mr. Cheny, who, in 1741,

proposed to publish by subscription the portraits of 36 celebrated horses, with their pedigrees and performances. The publication of the "Racing Calendar" remained with Mr. Cheny up to his death, in 1750, and in the volume for that year, the son appeals to the liberality of the patrons of the work on account of his father's originating and labouring to bring it to perfection, and expresses a hope that the old work will be encouraged, notwithstanding the attempts made to prejudice its sale by another publication of the same kind. The opposition was apparently, however, successful, for the succeeding volume was published by Reginald Heber, and thanks are returned in the preface for the "munificent and voluntary" encouragement of it. But Mr. Heber was not allowed to walk over the course, for in 1752, Mr. John Pond brought out a similar "Sporting Kalender," and which contained, as a new feature, rules concerning racing in general. This "Kalender" appears also to have been well patronised, as the list of subscribers in 1755 number 561, which includes about 100 names belonging to the nobility; and amongst its contents were to be found a list of 17 Royal Plates run for in that year, as also a return of the general racing in the country, &c. We believe Mr. Pond continued his work up to the day of his death, November 11, 1779, but meantime Mr. Heber's was also published, and in his volumes for 1754–55, it is stated that he had purchased the stock of books belonging to Mr. Cheny, so that his subscribers would be able to complete their sets. From 1769, as appears from an advertisement

in the volume of that year, this series of the "Calendar" was carried on by William Tuting, keeper of the Match Book at Newmarket, and Thomas Fawconer, secretary to the Jockey Club, and successors to the late Mr. Heber. These gentlemen, however, were not long connected with it—in fact, in the "Calendar" for 1776, they are mentioned as "both being deceased"—and the last volume published by them was, we believe, in 1772. The next year it changed hands, as appears from an advertisement in the "Morning Post" of May 1, 1773, which states that for the future the Jockey Club had authorised Mr. James Weatherby, keeper of the Match Book at Newmarket, to publish it, and had agreed to support him in the undertaking; and from that time to the present the publication has remained with members of the same family. The contents of the several volumes of this sporting periodical, afford a pretty accurate idea of the progress of horse-racing from time to time; and in this respect the volume for the year 1742 ranked amongst its subscribers no less than 20 Dukes, 1 Marquess, 24 Earls, 13 Viscounts, and 28 Barons—in all 86 peers; and in addition there were upwards of 80 Baronets, besides many other persons of distinction. In the volume for 1846, is a notice that, owing to the increase of the pastime, there would be in future two Book Calendars published, the first early in the year, of races to come, and the second, containing races past, at the end of the year, or as soon as possible after the termination of the racing season. We may also state here, that in the year 1790, Mr. Weatherby announced his intention of

publishing, the year following, a "General Stud Book," which should contain the pedigree of nearly every horse of any note that had appeared on the Turf for the last 50 years, and some of even a previous period, and this "Stud Book" was brought out, and has been continued down to the present date.

In the year 1792, the old "Sporting Magazine" first made its appearance, of which a new series was commenced in 1817, and its publication was continued till, we believe, the year 1845, when it became identified with the "Sporting Review," and which, as a sporting monthly, was a vast improvement indeed upon the old magazines. "Bell's Life" was established in 1820; the "Sunday Times" in 1822; and the "Era" in 1848. These are the old established newspapers belonging almost exclusively to the sporting world; but since the last named date, the "Sporting Life" and the "Sporting Gazette" have also been added to the list; and at various times there have been numberless sporting periodicals and newspapers devoted to Turf records and doings, which it would serve no purpose to specify here, particularly as those which are now in existence are as well known as that London has a Lord Mayor.

CHAPTER III.

The Jockey Club: its rights and obligations, functions, &c.

THE corporate racing body known as the Jockey Club, was instituted some time during the reign of George II., but the exact year we are not able to specify, and the first official mention of the Club that we find recorded, is in Heber's "Racing Calendar" for 1758, in which is to be found under the title of "Orders" agreed to in March of that year, a regulation for the purpose of compelling riders to weigh when they came in, under pain of dismissal, and which said order is signed by Lord March, and several other noblemen and gentlemen. This body of noblemen and gentlemen bear a relative position with regard to the Turf, as the House of Lords does in the political constitution of the country. Its head-quarters were from the first established at Newmarket, and its members are selected from those highest in rank and position in the racing world. Before proceeding to describe its functions, we may remark that the Turf is singular in this respect—that many of its transactions are neither recognised nor

governed by any constitutional laws of the land, and hence the whole responsibility of the legislation with respect to horse-racing devolves upon this elective constituted body; and when we consider the immensity of numbers, comprising as the mass does all classes and grades of society whom it controls, and the enormous sums of money dealt with, it will be seen that not only is the responsibility great, but that the greatest care is necessary in all its actions, and in the laws framed for the government of the horse-racing community. From this want of legal recognition, the necessity of some such chief and recognised authority as the Jockey Club is essentially necessary for the interests, well being, and regulation of such a vast and promiscuous community as the Turf embodies, and it is therefore the acknowledged supreme Court to which any dispute or appeal can be made, and its decision is consequently considered final.

The Turf being placed in the position it is with regard to non-legal rights and remedies, it follows that both in the rules and orders as made by the governing body which constitute Turf Laws, as also in the power of enforcing them, and the obedience paid the said laws by those for whom they are made, both, or all parties are actuated or bound by a feeling of principle or point of honour in regard to them. This being the case, it is clear that if our Turf legislators expect their laws to be respected and obeyed by their subjects, such laws must be based upon principles of equity and honour, and that as a point of honour alone must constitute the moving power of obedience, so must this great

principle of human action in matters of right and wrong form a main element in the laws so made and promulgated. An institution of such vast proportions as the English Turf has reached, and which is swayed and governed in such an extraordinary manner, or in other words almost solely by feelings and principles, presents a spectacle which by good government on one part, and ready obedience on the other, should add to the credit and lustre of a nation; but to do so requires an amount of probity and self-abnegation in the individuals composing it, which, when personal interest is concerned, would perhaps be too much to expect, even from a small, much less a large body, composed as it is too, of noblemen, gentlemen, and notabilities both good and bad. And this it is which alone renders the task of government at all difficult; and yet the task is not so difficult if those who compose its legislators only take care to base their laws upon equity and honour, and practice themselves, in its strictest sense, the same line of conduct they propound for others.

Owing to the circumstance that the code of laws which to a great extent govern the racing community are based and enforced more on moral principles than by any force of application derived from legal authority, it follows that those for whom Turf laws are made, render the respect and obedience due to them, as much from the *example* set them in the several actions of those who *make* the laws, as from any veneration or respect for the laws themselves. In fact, any laws, whatever may be their nature or power, possess a deal of weight (more or less) in exacting obedience or respect

from the character of those who frame and administer them, and they never can be strictly enforced or respected if the administrators themselves are not equally respected and beyond reproach, both in their private acts and judicial functions. In virtue of their public capacity and power, the Jockey Club have on several occasions passed judgment, and taken active proceedings upon certain acts of individuals when a wrong has been committed. For instance, in October, 1838, this body promulgated their opinion that it was not only reprehensible for any owner to start his horse for a race without he really intended to let his horse win if it could, but that their duty as patrons of racing rendered it incumbent upon them to help in punishing such wrongful acts in a public point of view, and one apart from what was also due to the individual sufferers by the fraudulent act. In 1844, a fraud was perpetrated upon all who were in any way interested in racing matters, in the fact of a horse having been entered, started, and winning the Derby, the said horse (Running Rein) being a four instead of a 3-year old; and again, the Jockey Club censured such dishonourable acts as not only being reprehsnsible in deed, and which they claimed a prerogative and right to assist in punishing, but as one "calculated to inflict an injury upon the Turf by bringing racing into disrepute, and by deterring honourable men from entering into a competition in which they run the risk of being encountered by such dishonourable rivals." They also claim the right in cases where an offence has been committed against their laws, of punishing the offenders by turning

them off their grounds at Newmarket and elsewhere, which prerogative has been legally established by the decision of a court of law.* Their authority and prerogative no one would think of disputing for the mere purpose of argument, and very few to vent a spite; but if any of those administering such laws or enforcing their rights, had themselves at any time been caught *en flagrante delecto*, there would be no *principle* in the punishment inflicted, nor any *respect* or *weight* attached to the judgment—in fact, the whole affair, as regards any good effect in the future, would be looked upon as a judicial farce.

The Jockey Club undoubtedly is the chief legislative authority in all matters pertaining to horse-racing, and this constituted body is also looked upon as being the natural guardian of Turf morals; and being thus constituted and recognised, it has its rights and obligations in its dealings with the rest of the racing community, both in regard to actions of a private and individual nature (when connected with the Turf) as also in its official capacity. The office is not a forced one, but when once the position is accepted, it is only natural that all its actions would be keenly watched and criti-

* Duke of Portland *v.* Hawkins. An action of trespass tried at the Cambridge Assizes in 1827, verdict for plaintiff, damages one shilling. The substance of the action was, that the defendant, considering he had been aggrieved by an unjust decision of the Jockey Club, had used unbecoming language to Lord Wharncliffe on the heath, and he was in consequence warned off it. On the trial, evidence was produced by the Jockey Club that the proprietorship of the race-course had been vested in that body since the year 1753, as tenants of the Duke of Portland. The right of the stewards of any races to warn off the stand and its enclosure, persons guilty of malpractices on the Turf, was also fully decided by the case of Wood *v.* Ledbitter, see "Law Rep.," 13 Meeson and Welsby, p. 838.

cised. The Jockey Club as a body, not only well know the sole powers with which they are invested, but on occasions we find them particularly jealous of any interference with what they claim as especial rights and privileges, and therefore they become, in a great measure, responsible for the good or evil repute of the racing community in general. In the case of the Bill introduced into the House of Lords in 1860, by Lord Reddesdale, for the purpose of prohibiting horses carrying less than 7st. weight in running for any prize or sum of money, the Jockey Club, at a meeting held at Newmarket, April 25, 1860, "deprecated the interference of the Legislature" in such a matter, and subsequently took higher action still by presenting a petition to the House of Lords,* in which they stated that "all regulations respecting racing are better entrusted to the authority which has hitherto made rules for the encouragement of this great national pastime," &c. Probably, the House of Lords agreed in the views stated in the petition, and, with the public generally, recognised and acknowledged the power and responsibility of the Jockey Club in all such matters, as the Bill was withdrawn in consequence of the petition being presented. We merely instance this to show that, assuming as they do the sole right of legislating for the Turf, they at the same time become the responsible party in all matters connected with it, and that viewed in this light, it behoves them to be especially careful no less in the making of the laws and the

* This petition was presented by the Earl of Derby on June 12, 1860, when the second reading of the Bill was moved.

administering of them, than in all their private actions and public capacity. Their duties are multifarious, and require in the performance of them honour, circumspection, and judgment. They have to adjust the weights for many of the races run, and here neither personal interest nor private friendship should for a moment be taken into consideration, or allowed to influence the arrangement. If an individual member of the Turf suffers a pecuniary wrong, it is the Jockey Club to whom he applies for redress; and should his honour be assailed, he places his reputation before the same authority for vindication. In truth, looking up as the sporting public do to this body as the chief or sovereign head of their own community for either approbation or condemnation, and with such serious obligations on their own part, and weighty and grave matters to deal with and adjudicate upon as regards others, it behoves them to be careful in their own actions, and tender in investigating and deciding upon the actions of others. To have the moral right of sitting in judgment upon and deciding a question of honour with respect to others, they must themselves be beyond reproach as reflected in their own character and actions; but their verdict can never be impeached as long as in their own persons they set an example to others of high and honourable conduct.

But there is another and more important question still connected with the irreproachable character and wise legislation of the Jockey Club, and the consequent good order and government of the racing community. The very *existence* of the Turf as an institution, de-

pends upon its good character as reflected through its head or corporate body, and the estimation in which it is held by public opinion. As long as the Jockey Club as a body remains pure, so long will the Turf flourish, owing to the wide popularity it has gained as an amusement of the people, despite the attacks and sneers which may occasionally be levelled against it; but so soon as the Jockey Club becomes corrupt, either in its collective form or only in part, and as a consequence loses the weight and force of its corrective power, then the whole mass will speedily become corrupt too; the popularity of the pastime will soon die out, and in the place of being looked upon as a noble and harmless amusement, it will be viewed as an intolerable vice, and society in general will unite in condemnation for its overthrow.

If it is intended that horse-racing should continue to form the staple amusement of the English people, these remarks are not unworthy of consideration by all connected with the pastime. Beyond a doubt, the Jockey Club are the real conservators of an amusement the most generally indulged in and national one of the country, and in this light they are looked upon by the general public as well as the sporting community. For this reason, and in order to retain with honour to themselves and credit to the country the proud position they occupy, it is absolutely necessary that they should be guided in all matters by strict principles of honour and equity. And as all their motives and acts are strictly watched by the public, and either supported or condemned accordingly, all

their proceedings should be open and unreserved, and so placed beyond question. By acting in this manner, the Jockey Club will always command the respect and approbation of the respectable portion of the public and the Press; and as long as they are entitled to this, they need have no fear in being reviled at occasionally by the rest.

The functions of the Jockey Club consist in the framing of rules and orders which are published in the "Racing Calendar," and which constitute the Turf code of Laws for the regulation and observance of the racing community. Strictly speaking, the Jockey Club had no authority or power to extend or enforce the observance of their laws at any other meetings or places than Newmarket, but it soon became evident that a uniformity and general application of its rules or laws was desirable, and therefore by a sort of tacit understanding it became gradually customary for all race meetings of importance to place themselves under the laws of the Jockey Club by a general consent and acknowledgment of its authority. In many cases, however, there was a doubt respecting the extent and power of application of the said laws, and therefore, in 1831, the Jockey Club notified that their rules and orders applied to Newmarket *only*; but they recommended their adoption to the stewards of other races, and in places where they were so publicly adopted and recognised, the Jockey Club would investigate and decide upon disputes submitted to them for adjudication, but not otherwise. It was also made a condition that where the question or dispute submitted originated

elsewhere than at Newmarket, the statement of the case must be reduced to writing, and the case must also be referred through or with the sanction of the stewards of the races where it happened. The original rules and orders of the Jockey Club have been altered and amended on various occasions, and we shall here briefly glance at a few of the leading features of some of them.

The Turf code of laws at present in force are divided into two parts, and that division which we shall treat of first, viz., the "Rules and Orders of the Jockey Club," have no application elsewhere than the spot from which they issue, viz., Newmarket. These rules are forty in number, and provide as to the mode of annual election of the stewards, of whom there are three appointed for each year, and in the Craven meeting in April, the senior steward retires, and names a member of the Jockey Club to succeed him, to be approved of by the members of the Jockey Club.* Provision is also made to provide substitutes to act *ex officio* for absent stewards; gives power to stewards to appoint officers and servants of the Club; also to fix time of starting for races, to manage the race-course and exercise ground, of postponing races from day to day until a Sunday intervenes; of settling disputes relative to racing at Newmarket, as also at other places if referred to them through the stewards, but reserve the option of taking it into consideration

* The *first* year any stewards were appointed it was arranged that the *first* and *second* vacancies should be decided by drawing lots, but ever after the senior steward was to retire in rotation as provided above.

or not; of power to warn persons off the course or premises belonging to the Jockey Club at Newmarket, and if such warning be not obeyed, to take legal proceedings for enforcing the same; that the stewards of the Jockey Club are, *ex officio*, stewards of Epsom and Ascot; and that neither the Jockey Club nor the stewards thereof take cognisance of any disputes or claims with respect to bets. Rules 13 to 21 relate to the admission of new members, by which for the Jockey Club, candidates must be proposed and seconded by two members in a meeting previous to the ballot taking place, &c., and notice to be given in writing and put up in the coffee room on what day the ballot will take place, at least one day before the time of ballotting—nine members (at the least) shall ballot, and two black balls exclude. The other rules refer as to the admission of members to the new rooms, coffee rooms, and respecting arrears of subscription by members, &c.; the temporary admission of non-members; election of foreigners; and admission to the stands. Rule 22 relates to trials, and provides as to the engaging ground for the same, and that any person watching a trial, or employing others for the same purpose, to be served with a notice to keep off the heath; and should such person be in the employ of any member of the Club, to be dismissed from his situation, and not employed again. Rules 23 and 24 refer to the challenge for the Cup and the Whip. And Rules 25 to 40 relate to various matters, such as charges at Newmarket, comprising discount on

forfeits and plates; remuneration to stakeholders; nomination and other fee; payments to the judge; starting, &c.

The second division of laws are the "Rules concerning Horse-Racing in general," and these apply to and govern all meetings that are subject to the established rules of racing. They are sixty-six in number, and are generally and so well known, that we shall do no more here than simply state that they provide as to nominations, stakes, forfeits, weighing, starting, dead heats, qualifications, and various other matters.

It used to be an old rule of the Jockey Club, that the members should meet annually at dinner on the day preceding the King's birthday. Another of their ancient rules was, that any person desirous of becoming a member, in addition to being proposed by a member, his name was to be "put over the chimney and door" of the coffee room at Newmarket, the day before the ballot took place; but in 1825 it was altered, and the name was to be "put up in the coffee room" the day before. Another alteration was made in 1828, when the christian and sirname was to be "put up in the dining and card rooms;" and again altered in 1858 to notice of admission being given in writing and to be put up in the coffee room as previously stated. The first notice of the decisions as given by the Jockey Club on the disputed cases submitted to them, first appeared in the "Racing Calendar" for 1808, since which time they have been continued, and of course added to in point of numbers. In 1836 the rule was passed

that the stewards should have the power of postponing races from day to day, and that all bets upon such races should hold good as if no such postponement had taken place.* And in 1821–22, it was resolved by the stewards and members of the Jockey Club, that for the future all bets and all matches, subscriptions, and sweepstakes, should be considered as made and run for in pounds sterling or sovereigns, and not for guineas as heretofore, and in cases where neither one nor the other is expressed, to be taken to mean pounds sterling.

From the foregoing rules and orders it will have been seen that the Jockey Club do not now take cognisance of any disputes or claims with respect to *bets*, but they used to do up to October, 1842, when a resolution was passed that they would no longer do so, and advising parties having any such disputes to decide the same by referees, one to be chosen by each party, and the two to select a third. And as in the last revision and arrangement of their rules in 1858 no reference was made to betting, beyond the fact that they took no cognisance of bets, a number of rules, in all 19, respecting bets and betting, was drawn up and arranged by the Committee of the Subscription Rooms at Tattersall's and Newmarket; but as every racing man will have these off by heart, we shall merely state, that as in all wagers there should be no advantage

* But by Rule 10, on betting, all bets are void if the race is postponed out of the original week in which it was to have been run, or if there is any alteration made in the original *terms* of the race.

taken by either party to it as a matter of honour. Rule 1 says, "In all bets there must be a possibility to win when the bet is made: 'you cannot win when you cannot lose.'" This golden rule should be learned off with the rest.

CHAPTER IV.

Transmission of racing news in olden times.—Tattersall's.—Bequest to encourage matrimony and horse-racing.

In the "good old" sporting times, before railroad or telegraphic communication became the rapid medium of conveying news between parts, the patience of the horse-racing community must have been sorely tried in having to wait the time they did, even with special information, and then it must have been slow before they could learn the result of a race as the following will illustrate :—

The "Yorkshire Gazette," of September 17, 1836, referring to the intelligence of the result of the St. Leger as transmitted by *special* messenger, says the news "was expressed to Manchester by J. Richardson, Jun., in the short space of 2 hours and 20 minutes!" The distance travelled was 58 miles, and the messenger had to perform about 2 miles of his journey on foot, owing to one of his horses knocking up. Again, it appears the proprietor of a tavern in Birmingham

favoured his customers with news of the result of the race in 6 hours and 21 minutes after it had been run. Mr. Bendrey, the *special* on this occasion, started from the race-course with a certificate, signed by the judge, at 6 minutes to 4, and arrived at the said tavern in Birmingham at 15 minutes past 10. The distance travelled was 94 miles, and 5 horses were used in the journey. The "Gazette" heads this performance as "sharp work," and no doubt it was considered so at the time. This event occurred not quite 30 years ago; but what would the sporting world say in the present day, if we had to fall back upon such a means of intelligence, as the quickest way of learning the result of the Derby, Oaks, or Leger! Something similarly sharp, although different in its nature, was intended, it may be supposed, by an advertisement in "The Yorkshireman" of August 12, 1837, in which Mr. J. Orton informed the public that he had taken the Turf Coffee House, Tubbergate, York, where, after stating that wines of the first quality, and soliciting the patronage, &c., &c., we are informed that "The bettings are regularly received, *per first post*, twice a week from Tattersall's, and the different meetings in the kingdom." This sort of thing may have been very well also for 1837; but in the present year of Grace, when the "state" of the "odds" are known at some hundred miles' distance almost as soon as they are at Tattersall's itself, and when the age has become so "fast" that by means of the "Tout" the owner even is very often anticipated in the market, such information, *regularly received twice a week per post*, can only be regarded as slow. In

like manner if the result or information sought was to be derived from the newspapers, in a week or a fortnight perhaps, according to the distance after the event was decided, the reader might discover what he sought in print. Some races were held in Yorkshire on May 3, 1743, and one of the daily papers of the period * first informs the public of the fact in its impression of the 21st. "They write," it says under the head of Country Affairs, "from Newcastle, that on Tuesday, the 3rd instant, Mr. Routh's grey horse, Frolic, won the Plate of £50 at Malton, in Yorkshire. On Wednesday, the £50 was won by Mr. Witty's ch. gelding, Raffler. And on Thursday, the £50 by the Duke of Perth's bay gelding, Chance." There is no doubt, as we have stated before, racing would have been very popular long before it was, but for the fact that it had not attained sufficient notoriety through the press to make it so. In the time of which we are speaking the want of popularity was not owing to paucity of sport as that was plentiful enough all over the country, nor yet to want of patronage, as the same newspaper supplies evidence of the fact as quoted in a former page.† Seventeen years later, it appears that there were 76 race-courses in the United Kingdom, on which 261 races were run, and that the total value of the stakes amounted to £61,440! It would also seem that between the years 1750 and 1772, a great number of horses were bred in and also exported from this country. Thus, a return laid before the House of

* "Westminster Journal."

† Page 85.

Commons gives the number exported in 14 years of peace as 21,348, and in 8 years of war, 7,783; or in a period of 22 years, a total number of 29,131 horses sent out of the country.

One of the greatest proofs of the progress made, and importance attained by the Turf, in or about the year 1760, was the opening of Tattersall's. This is the date given by Mr. John Lawrence,* but another authority† gives 1773 as the year. The former date would appear, however, from what Mr. Lawrence says, to be the correct one. The founder of the establishment, Richard Tattersall, is stated to have emigrated somewhere from the borders of Yorkshire and Lancashire to London about the year 1743, and that he was by trade a woolcomber. This calling was evidently not suited to his tastes, as he was constantly to be found soon after his arrival in London at Beevor's Horse Repository in St. Martin's Lane, where, after having by tuition and experience acquired a knowledge of the care and treatment of the horse, he was recommended and subsequently became training groom to the second and last Duke of Kingston, in whose service he remained till his noble employer's death in 1773, when, it is believed, he opened his auction mart. But the foundation of his fortune was laid by his being fortunate enough to purchase the celebrated race-horse Highflyer for the large sum of £2,500. It has been said that the horse was purchased on credit, but this could not have been the case, for in the "Sporting

* "The Horse," by J. Lawrence, p. 150.
† "Penny Magazine," vol. xiii., p. 133.

Magazine," vol. for April to September, 1824, is a copy of the original contract for the sale, dated March 29, 1779, from which Lord Bolingbroke parts with and assigns over to Mr. Richard Tattersall the horse Highflyer for the sum of £2,500 to be paid in hand, and "the receipt whereof I do hereby acknowledge;" a receipt for the money is also attached to the document.*

From the very first, Tattersall's appears to have been used for similar purposes to what it is in the present day; "a place," says the "Penny Magazine," "where men of honour might congregate free from the smell of the stable, and enjoy a view of the most beautiful horses without being perpetually in contact with the jockey or horse dealer." Mr. Lawrence tells us that Tattersall's "repository at Hyde Park Corner was opened about the year 1760 by Mr. Tattersall, who had previously resided at Worcester, and was proprietor of the stallion, Young Traveller. After the then Duke of Cumberland's decease, his stud was sold at Tattersall's in 1765. Old Tat., as he was in due time familiarly called, was so very fortunate at his very outset, as to obtain the countenance and patronage of persons of the highest distinction, who took an interest in horses; and that important advantage has continued

* About a mile from Ely, in the county of Cambridge stands Tattersall Hall, so named by old Mr. Tattersall, and we believe the mansion is still in the possession of the family; and on the estate is a mansion called Highflyer Hall, in honour of the racer of that name which was kept there. It has been stated that this horse won his owner close upon £9,000 (Whyte says upwards of £9,336), although he did not run in public after he was 5 years old, and that he was never beaten, nor ever paid a forfeit!

undiminished to his successors of the present day. I first knew old Mr. Tattersall in 1773; he was a shrewd, assidious, and observant man, precisely one of those qualified by nature to be *faber fortunæ*, the maker of his own fortune; and he achieved it, becoming the founder of an opulent and flourishing house. One of the best proofs that he gave of that never-failing presence of mind in cases of *meum et teum*, vulgarly called a man's knowing what he is about, was the mode in which he covered himself, by laying hold on High-flyer at Newmarket."

In early times, the neighbourhood of the "Corner" must have borne a somewhat different aspect to what it does in the present day, for in the year 1773, Mr. Tattersall's advertisements used to be headed thus:—"To be sold by auction, &c., at his new stables near Hyde Park *Turnpike*." It was not then hemmed in by St. George's Hospital as it is now, and "Druid" tells us, that when old Mr. Tattersall signed a lease of the place with Lord Grosvenor in 1776 for 99 years, that the "Five Fields" stood on the site of Belgrave Square, and instead of being a quarter habited by the nobility and gentry as now, that it was principally in possession of footpads and cows. In fact, the neighbourhood around, was nearly all fields; and the secluded nature of the district may be imagined when we state that the same author informs us that it was a place "where partridges still dared to jug" as late as 1812 between Hyde Park Corner and Chelsea; and back fare had to be paid to the ancient jarvies if they took a fare off the stones up to the present Princes Gate. There

is no doubt, however, that it soon became a busy place after Mr. Tattersall had become entitled to give it his name, and that it was much frequented by the sporting and betting fraternity, who there arranged their gains and losses, as in the "Public Advertiser" of June 22, 1791, it is stated that the "Duke of Bedford settled for his last winnings at Newmarket at Tattersall's (the great Turf Exchange), when his Grace received between £6,000 and £7,000." In the centre of the court-yard where the horses are exhibited and sold is a piece of architecture, domed over, and either giving significance to, or hiding a pump, on the top of which is a bust of the Prince Regent (afterwards George IV.), and who, in his younger days, was a great frequenter of Tattersall's; and it is related* that this bust was missing during some repairs of the premises, and lost altogether for several years; but after being searched for high and low, it was ultimately found by the merest chance in the world among some waste stones in a builder's yard, and of course this emblem of royalty was again duly elevated to—crown a pump! From an article in the "Sporting Review," vol xxi., we learn that the original Subscription Room in the yard was first opened about the year 1789, and at that time it numbered about 76 subscribers, but although the numbers were not large, a good few of distinguished names in the roll of English nobility were included. Tattersall's Subscription Room seems to have been kept somewhat select in the character of its members up to

* Druid's "Scott and Sebright."

about the year 1800, when the habitual society of the place became leavened with some portion of the democratic element in the shape of the betting and book-making fraternity, as for instance, Crockford, and others of that "ilk." There was a great increase of this class of sporting men who entered the rooms between 1810 and 1825, and a still greater increase between the last named year and 1843, so that the old room became too small for the purposes required of it, and accordingly a new room was built on the opposite side of the yard, on which occasion the terms of subscription was doubled, but this met with no objection. As an indication of the extension of Turf operations, attention may be called to the circumstance, that whereas in 1789 the number of subscribers was 76, in 1848 the numbers had reached nearly a 1,000!

In these rambling notes we shall often, and sometimes, perhaps, rather abruptly change the subject, but we claim indulgence on the ground that the object is to present the reader with facts somewhat as they occurred in their order of date. Thus, in the year 1772, we have to record the following

"Bequest to encourage Matrimony and Horse-racing. Newmarket, All Saints."

Such is the heading taken from "Edwards' Old English Customs and Charities," p. 190, and there is no doubt of the authenticity of this singular legacy, as it is extracted from the "Reports on Charities,"

vol. xxxi., p. 98, published by authority of Parliament. The following are the particulars in extenso:—

"By a deed Poll, dated August 12, 1801, executed in pursuance of a decree in Chancery, relative to the Will of John Perran, dated May 30, 1772, the trustees of a sum of £410 6s. 2d., 3 per cent. consols, and £21, Long Bank Annuities, being the original sum given by the will, together with such accumulations thereon which had accrued during the proceedings in Chancery, were declared; to hold them upon trust, six weeks at least before Easter, to cause notice to be given as therein directed, that a marriage portion of £21 would be given to a parishioner of the said parish, who should on Thursday in the Easter Week, be married at the Church to a woman belonging to it; neither party to be under 20, nor to exceed 25 years of age, nor be worth £20; the trustees to attend in the vestry to receive claims, and pay the bequest to such couple as should be qualified to receive it. In case of two claims, the determination to be by ballot who should receive it. In case of no claimants, then the money, for that year only, to be paid by the trustees to the winner of the next Town Plate.

"Notice is annually given in sufficient time to allow the publication of banns before Easter Week.

"The money had not been claimed above 20 times in the last 30 years, up to 1837. When claimed, the whole dividend is paid to the parties entitled; when unclaimed, it is carried to the Racing Fund."

In accordance with this bequest, a notice as directed was always read in the parish church of All Saints on Easter and the two preceding Sundays, and

probably it has continued to be annually given out to this very day. But we wonder how it is that in the heats as run between matrimony and horse-racing, the latter had in most cases carried off the prize !

CHAPTER V.

Hardships met with in journeying to and from races in the olden times.—Summary punishment of offences on the Turf.—Curious nature of some of the stakes run for.

In this chapter we shall give some sporting particulars relative to the year 1773, from which it will be seen that in those days, in order to witness the sport, not only had difficulties to be encountered in going to, or coming from, the race-course, with respect to bad roads and slow locomotion, but that in many cases actual peril was encountered in the journey. In the period of which we are writing, it was a very common occurrence for most unconstitutional highway rates to be levied by means of a pistol in lieu of an Act of Parliament; and it is a matter of surprise, taking this circumstance into consideration, and also bearing in mind that very little personal protection was to be had, except from one's own stout heart and strong arm, that any one could be found venturesome enough to brave both inconvenience and danger for the mere pleasure of having a few hours on the race-course. In

the present day, when we have as guardians Sir R. Mayne, a host of commissioners, and no end of policemen to take care of us in our peregrinations, we often hear it growled out that one of the latter body, when "wanted," is never to be found; and if the assertion is a truthful one now-a-days, with what force it must have applied when the old watchmen constituted our sole safeguard! Verily, our fathers and forefathers must have had a strong love for the pastime, or else the Englishman of those days was a singularly sturdy and devil-me-care sort of character.

In speaking of some races held at Barnet, the "Morning Chronicle" of August 19, 1773, says, "there never was so little company at Barnet during the races, as this week, occasioned by the wetness of the weather." And, "as some tradesmen and their wives were returning to town," from the races, "they were near being lost in the River Brent, which was swelled to such a height that it made a clear passage through the coach, and with difficulty the above persons were saved." This is an escape from the flood, and we will now recount an adventure of the field which occurred at the same races:

"A genteel young fellow, dressed in brown, and a gold-laced hat, was detected in picking a gentleman's pocket of his purse, in which were about twenty guineas. The gentleman delivered him up to the populace, who ducked him severely in an adjacent pond."

And, as

"Mr. Veltford, of Holborn, was coming from Barnet, he was

attacked on Finchley Common by a single highwayman, poorly mounted, and shabbily dressed, who robbed him of near £9 and his watch." *

The summary punishment of offenders seems to have been fashionable in those days, for in the "Morning Chronicle" of May 26, 1773, we read that

"A poor wretch was detected picking a gentleman's pocket last Friday, at Epsom Races, and was so severely ducked, that he could not have escaped with his life, but for the interposition of his R. H. the Duke of Cumberland, who displayed upon this occasion a humanity that must endear him to all considerate Englishmen."

We must suppose, in order to save the credit of the age, that legal administration of justice by properly constituted authorities, was somewhat difficult of attainment, and that such modes of punishment, condemnatory alike as regards either equity or civilisation, was rather the consequence of such frequent offences than a want of common humanity. In this case, the "poor wretch" was indebted for his life to an individual act of humanity which was evidently singular to the age, but in one which we shall presently relate it will be found that the life of a similar offender was sacrificed.

Another singularity of the times, was the nature of some of the wagers, or stakes, as run for. Thus, in Lloyd's "Evening Post" of April 12, 1773, it is stated that on "Thursday was run over Epsom Course, a

* Lloyd's "Evening Post," August 20, 1773.

sweepstakes of 50 guineas each, and a hogshead of claret, rode by gentlemen, which was won by Captain O'Kelly's brown horse, Thumper, by Mr. Yeatman." The exact meaning here, is somewhat obscured by the wording, but what was intended to be conveyed is, that it was a race for a sweepstakes of 50 guineas each, and a hogshead of claret; that the horses were ridden by gentlemen jockeys; and that the winning horse was ridden by Mr. Yeatman. Again, from the "Morning Post" of April 19, 1773, it appears that at Newmarket, another "sweepstakes of 100 guineas each, and one hogshead of claret each, colts 8st. 7lbs., fillies 8st. 4lbs. (rising 4) B. C.," was run for, and won by Mr. Foley's chesnut colt, beating eight others. In some of their actions at least, it is evident our ancestors were sensible men, for in addition to the £840 of filthy lucre gained, there were absolutely eight hogsheads of wine with which the winner could make merry, and entertain his friends on his victory! The loss or addition of a hogshead of *good* claret in a man's cellar is something more than a trifling consideration; and very probably the loss of one was more keenly felt than in parting with the guineas.

Turning again to Lloyd's "Post" of April 12, we find a match recorded in which there is a dash of desperation which might have given a name to the race, and so singled it out from every other of its kind that ever we remember to have read or heard of. The match was run at Epsom, and was "for 50 guineas a side, *and horse for horse*," and was "won by Count Boston's chesnut horse Minor." Upon what prin-

ciple, sporting or otherwise, was it made incumbent upon the loser to sacrifice his horse as well as hand over the stakes? And why should the winner consider it a gain, or be at all anxious to add and place in his stud, an animal that was proved to possess unequal powers to one at least of his own? If it was from a feeling of disgust that the loser wished to get rid of an inferior and beaten quadruped, it could not have been a similar motive which actuated the winner in receiving it! But in all probability, *principle* had nothing whatever to do with the terms, which were arranged in a spirit of what is vulgarly called "going the whole hog."

But unfortunately, there were other circumstances that happened peculiar to the age, which, instead of being termed curious, can only be considered as disgraceful. Once more we turn to the columns of a newspaper, and in the "Morning Post" of April 19, 1773, we find it related, after the details of four days' racing at Newmarket are given, that

"To the no small mortification of the *black*-legged family, *Hell* is broken up at Newmarket, more on account of the general scarcity of cash, than any inclination to suppress gambling.

"Mother N—ls—n and four fillies kicked up an uncommon riot on account of some indignity offered to her wards. The affray first opened with female execrations, and brandishing a pair of tongs, fire-shovel, and poker; at last the attack was general, when jockeys, bawds, whores, noblemen and gentlemen, aided in the dreadful engagement."

However disgraceful and reprehensible such proceed-

ings were to all parties engaged in the scene, yet it would be unfair to condemn horse-racing as being the sole cause of it. Evils often spring out of the most harmless occupations and amusements, and in many cases, even grave and serious matters are perverted to bad purposes by those of bad principles and evil inclinations. It is to be hoped that such scenes were but solitary exceptions to the general conduct of society in the year 1773, but it is certain that "Turf scandals" of the present age are not more disgraceful in their nature than they were in the past.

In the Newmarket First Spring Meeting of 1773, a remarkable match was run between Mr. Blake's Firetail and Mr. Foley's Pumpkin, 8st. each, which "was run at score, and the hardest race almost ever known; Pumpkin lying at Firetail's girt the whole time, and in coming in, what is scarce credible, they ran the Rowley Mile, one mile and thirty yards, in one minute and four seconds."* No doubt many of our readers who have been in the habit of attending races, and particularly those who have witnessed the Derby, will have remarked that, sometime or other during the day, an unfortunate dog gets upon the course, which in general is yelled at by the people on each side of the running ground to that extent, that what with the almost impenetrable barricade thus preventing its egress, and the fright occasioned by his tormentors, the animal is compelled to run up and down instead of off it, until it gets sufficiently near one or the other extremity where the comparative thinness of the multitude permits of its retire-

* "Morning Post and Daily Advertiser," April 19, 1773.

ment, and its worry and the chase of the police ends. The Derby is run for regularly every year, and the dog nearly as often, from some cause or the other, makes the same periodical appearance. These remarks originate from a curious accident which was caused by a dog in a match run at the conclusion of a day's racing in May, 1773, at Epsom (the spot especially favoured apparently for this peculiar canine diversion); this was seven years before even the Derby was instituted, so we may regard the animal as having a sort of original or constitutional right in taking its part in the annual festival. It appears that a match "for 100 guineas between Captain Parson's horse Minor and Mr. Sweetland's mare, proved a dead heat, occasioned by a dog running across the course, and both the horses and riders fell, and were much bruised.* However, if the freaks of the animal in general occasion annoyance and mischief, it is on record† that in one instance a similar act of canine eccentricity was the means of placing £2,000 in the pockets of an individual. It appears that in a race at Doncaster some years ago, Captain Taylor's Ainderby, a very inferior horse, bowled over the mighty Queen of Trumps by reason of the latter's being crossed or heeled by a ferocious mastiff, who ran at her in the race, and caused her to swerve or change a leg, and consequently lose it. The betting was 20 to 1 on the winner of the Oaks and Leger—as well it might be, barring accident! and it was no little surprise and satisfaction to the owner of Ainderby when he was

* Lloyd's "Evening Post," May 21, 1773.
† "Bye Lanes and Downs of England," p. 15.

told in the bar of the Grand Stand, that he was the winner of a couple of thousands. He very gratefully gave £5 for his canine friend, and for ever after kept him on the daintiest fare, and eventually, it is believed, left him an annuity.

This record of sporting particulars relative to the year 1773, we close with an extract from the "Morning Post" of August 9 that year, which shows that betting was pretty extensively carried on nearly a hundred years ago. We hear from good authority that "the Young Club has won upwards of £80,000 within these three months on the Turf!"

CHAPTER VI.

Disadvantages in sending race-horses about the country in the olden times.—Race curiously won by a jockey.—A blundering equestrian horsewhipped.—The kicking, cropping, ducking, and beating of a pickpocket.—Tothill Fields' Races.

It used to be the fashion in many of the country towns where the races were held, that the day's sport would wind up with a ball in the evening: "the town was very full of company, who testified the utmost approbation at the entertainment they had each day on the course, and the brilliancy of the balls."* This was at Lichfield in 1776. No doubt at this period, when a considerable portion of time was spent in travelling even a short distance, and when the means of travelling were not so numerous as they are now, that most of those who were strangers to the place would generally remain for a few days instead of a few hours; in which case amusement of some sort would be pleasant to the visitors themselves as well as the beauties of the neighbourhood. We dare say the influx of country squires and fine lords and gentlemen from London in those days, were looked forward to and contemplated with considerable curiosity; and that many a heart was won

* "Morning Chronicle," September 11, 1776.

and lost at these race balls. But these "good old days" have passed away, for steam has done much to annihilate time and space, and robbed the country belles of a considerable portion of their amusement of which horse-racing was then the cause.

The inconveniences and delays in journeying to and fro previous to the railroad era, must not only have acted upon the biped but also the quadruped, and it is almost a matter of surprise that the delicate race-horse would have been sent any distance when the consequent injury or accident was so very probable, yet nevertheless they were: "this day the October Meeting at Epsom begins, at which great sport is expected, many capital horses being gone down there from Newmarket, to run for the different plates and sweepstakes." So says the "Morning Post" of October 23, 1776, and in its next day's impression it gives an account of the day's racing, from which we gather that the Town Plate for £50, for 5, 6, and aged horses, the best of 3 four mile heats, and for which 13 ran, "was one of the finest races ever seen," and that "the knowing ones from town were taken in exceedingly by backing Nestor," who only managed to get second honours. We are also informed, that in a sweepstakes run the same day, the leading horse "just before he came in at the winning post, being crossed by a gentleman on horseback, the rider was thrown; but his leg hanging in the stirrup, the horse carried his weight in, and won miraculously without hurting his jockey." One would suppose the regulations must have been very lax which allowed (if there was no prohibition) any horseman to be on the

course while the races were being run; and to say the least, the gentleman who caused the mishap must have been a blundering equestrian if the accident was an unintentional one.

But it would appear as if Epsom had long a black mark against its character in the above respect, and that the management of its race-course on the part of those in authority was somewhat slovenly, for we find Druid* remarking on the difficulties experienced in course clearing in the days of the Prince Regent, at which period most of those after the Derby was run, adjourned into the town to dine and drink till about 4 o'clock in the afternoon, and that in consequence upon their return, the authorities received but very little assistance from the Surrey labourers who got eighteenpence per diem to "make a waie for the horse-race." And we find from the "Sporting Magazine,"† that so recently as the Derby of 1818, some *dandy*, either through ignorance or want of accomplishment in the equestrian art, got directly in the way of the horses as they were stretching away neck and neck in order to reach the goal first for this important prize, by which one of the horses was entirely thrown out of the race, and many of the others much jostled. This act, however, was not suffered to pass with impunity. The dandy saw his mistake, and using his spurs, at once bolted, but many of those present, including the deputy stewards and some others, gave immediate chace, and overtaking him, administered as he fled a most out-

* "Scott and Sebright," p. 16. † Vol. ii., new series for 1818.

rageous horsewhipping, which was not desisted from till he was clear of the course.

The year 1776 afforded a subject for "scandal" in the fact that a "gentleman who lately figured away in a great style upon the Turf, has withdrawn himself rather abruptly: it is said he has got a strain in the back sinews."* And we find that more unconstitutional highway rates were levied this year, for as "William Sparks, Esq., was returning from Epsom races, he was attacked by a single highwayman, who robbed him of near £20 and his watch."† Doubtless these gentlemen of the road concluded that sporting men returning from the races would be somewhat better provided with ready cash than most ordinary travellers, and so paid special attention to them accordingly; and it is certain that these two classes of society very frequently came into contact as the various newspapers of the period prove.

We have already alluded to the circumstance of the "English Chronicle" making a special newspaper feature of other sporting intelligence in 1779, besides the mere returns of the racing as had been previously customary, so that from henceforward the annals of the Turf would be more perfect. Hitherto, as far as newspapers were concerned, Turf transactions, when recorded, had found a place now and again, not on account of any particular interest supposed to attach to them, but very probably with the object of filling up a void in the paper. Now, however, it was seen that Turf information was sufficiently important to claim a

* "Morning Post," October 31, 1776. † *Ibid.*, October 26, 1776.

regularity of attention and portion of space with other events of the day, and of course with this change we may look for something different in the style of newspaper literature in connexion with the Turf.

Between seventy and eighty years ago, Turf matters were chronicled by the newspapers in a peculiar form, and its phraseology was also somewhat different to what it is now. For instance, in quoting the odds in betting, the figures were often put against the owners' names instead of against the horses', as thus—"7 to 4 against Duke of Bedford; 2 to 1 against Prince of Wales," &c. The Turf speculations of a noble peer are thus alluded to:—"The Duke of Bedford was the most successful *Turf adventurer* at the late Epsom meeting; 6,000 guineas were his Grace's net winnings on the first and nearly double that sum on the last day's sport."* The italics are not ours; but probably nothing personally offensive to his Grace was intended, although the next day we find the Duke got a decided kick from another quarter. After speaking of his Grace's winnings as above, the "Public Advertiser" of June 16, adds, "this, to some gentlemen's pockets, operated like *Epsom Salts*, but the Duke is one of those who can *keep* what they get." We wonder what the Duke had done to be snubbed in this fashion—had he not paid up his newspaper subscription? Surely the Duke had a right to do what he liked with his own, and was not bound to make ducks and drakes of his winnings as soon as he received them.

We read of another case of summary justice being

* "Morning Chronicle," June 15, 1791.

administered in the "Public Advertiser" of July 1, 1791, which says, "a pick-pocket was on Wednesday detected on the race-ground at Ascot. A post boy who first laid hold of him, thrust his hand into the fellow's waistcoat pocket, and taking out two guineas, gave him a kick on the breech, and walked off with the money." What curious ideas of justice this post boy must have had, and what flexible and easily adapted notions of right and wrong, when one minute he vents his indignation at the act of dispossession in the shape of a kick, and the next coolly converts an unwarrantable action on the part of another into one of personal profit for himself. With him, might must have been considered as right; and that the ends of justice were fully satisfied by the simple transfer of the plundered property to his own person. But the unfortunate pick-pocket (for so he must be considered when compared with the ideas of equity) was not yet done with, for we are informed that subsequently "several gentlemen seized him, and searching him, found five gold watches about him. They then cut his hair off, and led him to an adjoining piece of water, where they gave him a very hearty ducking. After having thus cooled him, they warmed him again by a most severe beating." Doubtless the fellow deserved punishing for the offence committed, but not in the shape in which it was administered, or in the peculiar ideas which suggested the application of justice; and we are led to wonder if the "gentlemen," who combined in their own persons all the functions necessary to adjudge and carry out a sentence, dealt

with the recovered watches in the same manner as the post boy did with the guineas. Justice, in order to be effective, must have a moral weight or force in its application, which is altogether wanting in this case, where want of success in the operation seemed to constitute the grave feature of the crime, or at least that which apparently gave the right to punish. The delinquent himself probably took this view of the question, for despite the kicking, cropping, ducking, and beating he got on the occasion, the justice thus dealt out failed to leave its moral, for only five days afterwards it appears "that the light-fingered *gentleman* who experienced the democratic treatment of *ducking* and *docking* at Ascot Races on Tuesday, had the audacity of visiting Windsor on Thursday, and was present at that day's, Friday's, and Saturday's sport, with a piece of crape and a handkerchief round his head to conceal his *amputated tail*; and by the deception of his story of his having been robbed and ill-treated" (and considering all things, there was a good deal of truth in the assertion), "secured to himself kindly treatment, and actually left Windsor without discovery."* The evil consequences, however, of such unauthorised administration of justice have yet to be detailed, and we learn from the "Public Advertiser" of July 9, that the same poor wretch "is since dead from the severe whipping the jockey boys gave him. He put up at Brentford in a small ale house, and was found dead in his bed." Thank goodness such proceedings as we have described relative to this pick-

* "Morning Chronicle," July 6, 1791.

pocket would meet with no countenance in the present day; and it is not the least important proof that in this particular respect, as well as in any other, the Turf has not been behind the rest of society with regard to improvement. Two magistrates now sit daily at Epsom during the Derby week, before whom all offenders are taken, and the laws are consequently properly administered, and justly dealt out.

But the habits and manners of society have changed very much in the last half century. At the time when the Prince of Wales (afterwards George IV.) figured so prominently and frequently on the Turf, it was not considered derogatory for even royalty to openly countenance and support prize fighters! Then a pugilistic encounter formed so prominent a feature in the day's proceedings at most of the race meetings, that the absence of any such fistic display, or the non-appearance on the course of any of the celebrated members of the Corps Pugilistique, were often remarked upon by the newspapers: "There was no battle took place on the race-ground on either of the days, notwithstanding Hooper, the tinman, Green, Serle, and several other boxers were present." So says the "Morning Chronicle" of August 5, 1791. In an engraving also of Doncaster Grand Stand and race-course, the draughtsman has been faithful in depicting the habit of the times in making a feature of the scene a regular pugilistic encounter while the horses are running. These must have been bonny times for the now expiring prize ring, when the upper classes, headed by royalty itself, were almost hand and

glove with the members of the former fraternity: "The Turf has lately got several *valuable* acquisitions, most of the *Boxers* are now sporting gentlemen, and as such associate with the *best* company there, if there are any *degrees of comparison*—which we much doubt."* Of course no one could feel surprised at this class pushing their way up when the right hand of fellowship was so generally extended to them; and one would scarcely wonder at learning, from the known partiality of the Prince of Wales for the exhibition of the science, that some of the noted Boxers of the day had been visitors at Carlton House. Even when seated on the throne, it would appear as if the heavy cares of state had not effectually eradicated the old love, for Mr. Thackeray tells us that "his Majesty had a drawing of the sporting characters in the Fives' Court placed in his boudoir, to remind him of his former attachment and support of true courage; and when any fight of note occurred after he was king, accounts of it were read to him by his desire. That gives one a fine image of a king taking his recreation —at ease in a royal dressing gown—too majestic to read himself, ordering the prime minister to read him accounts of battles: how Cribb punched Molyneux's eye, or Jack Randall thrashed the Game Chicken."† But all this is now changed for the better, and royal personages set no such bad examples. It is true that the prize ring has its supporters in the present day, but the achievements within it are restricted to out-

* "Public Advertiser," June 16, 1791.
† "The Four Georges," Cornhill Magazine, No. 10.

of-the-way places; and present society much prefers seeing the race-course studded with grace and beauty to its being made the arena for brutalising exhibitions. Doubtless, there are many bad characters to be found on the race-course in our own day, but the riff-raff of society are not encouraged by any intimacy to mix with the superior in the free and easy manner they were at the time of which we have been speaking. Society in general has improved. As regards familiar association, a line is now drawn where none apparently existed before, and those who are entitled to the name are more worthy of it in character and manners, for *gentlemen* can be *gentlemen* even upon the Turf.

I take again a newspaper of the period when the "First Gentleman of Europe" regulated the fashions, and, from the nature of his own amusements, set an example which, it was natural to suppose, *would* be followed by his subjects. The following appears in the "Morning Chronicle" of August 2nd, 1791:—

"Tothill Fields' Races.

"About 2,000 persons of the *first fashion* being assembled yesterday, the amusements commenced with a jingling match, &c.

"Six jackasses then started for a gold-laced hat, which was won by half a neck; and afterwards, three young ladies ran for a holland smock in their shifts and under petticoats, and the whole concluded with a pitched battle between a brickmaker and a bricklayer, which was decided in favour of the brick-maker."

There is not so very much to wonder at in the exhibition occurring at the time it did, considering it had

the apparent sanction of similar low class amusements, or sports, as patronized by some of the highest personages in the realm; but what, in the name of goodness, would be said if any such "races" came off in Tothill Fields or other locality, in the reign and under the rule of Victoria?

CHAPTER VII.

Various Racing Statistics.

In entering into a few statistics in connexion with horse-racing, it may be as well to premise, that for a period of about fifty years preceding the commencement of the present century, the pastime, owing probably to the disturbed state of nearly all Europe during that time, and the wars in which this country was engaged, appears to have made very little, if any progress, but would seem to have maintained a uniform and steady existence. It has, indeed, been stated,* that the decline of the sport was very great in the period named, in proof of which it was advanced that annual races had been discontinued at no less than forty-eight different places. Now there is no reason to doubt the truth of the latter part of this statement, but it is clear there were other meetings established somewhere in the country which occupied their place, and counterbalanced what would otherwise have

* Whyte's "History of the Turf," vol. i., p. 188.

been a loss, as the particulars we are about to give, and a reference to the table following, will show. Starting with the year 1755, we find that in "Pond's Sporting Kalender" for that year, there is a list in which 85 different places of sport are enumerated, and, according to the table, in 1762, or seven years afterwards, there were 76, the number being diminished by nine. Five years later again, viz., in 1767, the number had increased and exceeded that first given, being 91. In 1772 there was a yet further increase in the number, as it reached 100; but afterwards, it will be seen, the numbers decreased a little, but still maintained an average with those for 1755, and so continued down to the year 1817, from which date—which was very soon after the treaty of peace had been signed, viz., in 1815—the figures show that horse-racing made great progress; and that for the past season, or the year 1862, the numbers are higher than for any other year since the institution of the pastime—an indisputable proof of the continued progress and popularity of horse-racing. It may also be observed, that from the year 1762 down to 1817, the increase in the number of races run, as likewise in the amount of money run for, was, in the first instance particularly, very great, and there is no doubt that there was a corresponding increase in the number of horses that ran as well.

The following is the table referred to, which is partly taken from the "Racing Calendar," and in the figures for 1862, are included steeple-chases and matches; but in the total amount of money given for that year, all the cups of which the value was given is included, and,

on the other hand, in the case of matches, the amount of *forfeit* money only is taken into consideration where a walk over occurred. The table is incomplete with regard to a few particulars, which are left in blank, but it will no doubt be valuable nevertheless.

Year.	Number of Places of Sport.	Number of Races run.	Number of Horses of all ages that ran.	Total amount of Money run for.
				£
1762	76	261		61,440
1767	91	377		63,490
1772	100	494		160,650
1777	97	648		136,390
1782	88	580		109,100
1787	87	602		94,420
1792	81	641		118,670
1797	76	543	593	63,110
1802	83	537	536	71,780
1807	85	782	691	115,950
1812	97	834	821	140,960
1817	88	721	800	115,670
1822	106	883	988	127,050
1827	126	1079	1166	158,570
1832	117	1182	1239	177,040
1837	138	1141	1213	169,200
1842	141	1146		182,910
1843	136	1218	1289	198,990
1849	112		1315	
1859	114		1645	
1860	108		1717	
1861			1767	
1862	197	2171	3345	280,406

In this table it will be seen that the total sum of money run for in stakes alone last year, was considerably over a quarter of a million sterling! and, in addition to the amount thus given, there were various

prizes to which no value was attached, but which, taken together, would make a few thousands in addition. The following is a list of the prizes of which we speak, from which it will be seen that although as a rule hard cash is the principal *bone* of contention, yet horse-racing has its exceptions in this respect as well as other transactions.

23 gold $\frac{\text{and}}{\text{or}}$ silver cups, 1 gold vase, 1 vase, 11 purses, 2 regimental cups, 3 military cups, 1 Royal Scot's Greys cup, 1 Staff College cup, 1 15th Hussars whip, 1 11th Hussars whip, 1 Sandhurst plate, 1 volunteer cup, 9 races, matches, and sweepstakes, 1 Consolation Stakes for beaten horses, 2 silver tankards, 1 pair silver goblets, 2 silver tea services, 1 saddle and bridle, 1 Easter plate valued at £6 13*s.* 6$\frac{1}{2}$*d.*, and 1 set of handsome china valued at £50.

As a few details relative to the figures for the year 1862 in the foregoing table may not prove uninteresting, we will enter into a few particulars in connexion with them. In the first place, if we divide the total amount of money run for, viz., £280,406, equally, between the 3,345 horses that contended for the same, it will be found that it gives no more than £83 16s. 6d.* to each horse; and that the same amount in like manner equally divided between the number of *winners*—as represented by the 2,171 races run—would give to each one the sum of £129 3s. 2d. Now this seems a very small amount, even in the case of horses running successfully, and an owner of race-horses on looking at these figures would naturally con-

* Fractions less than a penny are not noticed.

clude that the wisest plan would be not to keep a stud, at least if a profit was the object of its maintenance. The above figures, however, are based upon a somewhat suppositious case, as it is well known that no such equal division as stated is made; and we may at once say that the reason the amount is so small when divided, arises from there being so many meetings at which only small prizes are given, and yet for which a great number of horses run: the really rich prizes are only to be picked up at such places as Epsom, Ascot, Chester, York, Doncaster, Goodwood, and Newmarket; and as these are the meetings to which it may be supposed an owner must look for reimbursement, let us see to what extent a few of them offer the means.

At Doncaster, from the statistics previously given, it appears the amount run for, inclusive of the Queen's Purse, was £16,272, and as there were 320 horses that contested for it, this amount, equally divided, would have given exactly £50 17s. to each horse; but divided between the 43 winners only, the amount for each would have been £378 8s. 4d. At York, the amount run for, including two Queen's Purses, of £105 each, and 500 sovereigns forfeit in a match, was £10,185, and this divided in like manner between the 232 horses that ran, would give each £43 1s. 9d.; but shared equally between 42 winners only, would give to each £242 10s. The amount run for at Ascot, was £11,431, and this divided between the 314 horses that started, would give each £36 8s. 1d.; but shared only between 34 winners, the portion of each would

amount to £336 4s. 1d. The amount run for at Goodwood, was £11,274, which divided between the 234 horses that contested for it, would give each £48 3s. 7d., or a sum of £388 15s. 2d. as shared by the winners only. At Epsom, again, the amount of the several stakes was £19,690, and this equally shared between the 408 horses that started, would give each a sum of £48 5s. 2d.; or the same sum equally divided between the 39 winners, would give £504 17s. 5d. to each. Lastly, we will take Newmarket, at which place there is more horse-racing and money run for in the course of the year than at any other place. Here, we have a sum of £69,404, including three Queen's Plates of £105 each, to be equally divided between 1,206 horses that ran for the same, and this sum so divided would give each £57 10s. 11d.; or the same amount in like manner shared equally between 295 winners—as represented by the number of stakes run for—would give to each a sum of £235 5s. 4d.

From the foregoing figures it is evident that for an owner to keep a racing stud, and depend solely upon the amount of stakes won for defraying his expenses, would soon considerably exhaust a private fortune. We have afforded pretty good proof that without some extraneous source in the shape of betting, the maintenance of a stud would, even under the most favourable circumstances, have principally to be supported by means of a private purse; and that if betting was done away with—and the question has been mooted—there would be very few noblemen or gentlemen found willing, and many unable, to keep and run race-horses.

Viewed as a question of profit and loss, we have seen the credit side of the ledger, now let us look at the debtor.

Mr. Isaac Saddler stated before a Committee of the House of Commons, that it would cost £350 to bring a horse to the post to start for the Derby. This was the opinion of a gentleman who said he spoke from a 50 years' experience as a race-horse owner; and looking at both sides of the question, it must be admitted that horse-racing without betting could not long exist. Certainly the profits are larger where the owner is fortunate enough to carry off a great prize like the Derby, &c., but these are the luscious Grapes which the sly Fox so longed for, and do not always hang within reach of man, any more than they hung within immediate reach of Mr. Reynard. Moreover, even the rich grapes are not wholly fruit: they have skin and stones; and in like manner the Derby, and other great stakes, are subject to considerable deductions in the shape of handsome presents made (and we believe without exception in all great races) to the trainer and jockey, a custom as well deserved and expected, as those annual donations, or household taxes, exacted by the juvenile members of a family at Christmas time. Indeed, in the sense we speak of, there is no doubt the anniversaries of Derby, Oaks, and St. Leger, are the real or substantial Christmas seasons of the year to a highly respectable—ay, and honourable too, when the truth is spoken—class of her Majesty's subjects, the trainers and jockeys of England.

Under the circumstances as stated, it cannot in

reason be expected that horse-racing can be carried on without an owner has some expectation of deriving a profit by some other means than what the bare stakes afford. Mr. Saddler's evidence adds authority to this view of the question:

Question.—But if when your horse was a yearling, you had gone into the ring and taken the odds at 2 to 200 about him, you would win £10,000 without any additional expense whatever. Is not that an inducement for the owners of horses to back their horses, without any spirit of gambling, but merely for the opportunity it affords them of winning a large sum in addition to the stake, which reduces the expenses they are put to in training their horses?

Answer.—I should not breed horses if there was no betting, because the expenses would be much more than the profit would be.

The next question has reference to the large prizes run for:

Question.—Would you be disposed to go to the expense of breeding horses if it was not for those large stakes?

Answer.—Certainly not. I have already stated that I should discontinue breeding if it was not for the large stakes and the betting.

And there is no doubt of the fact. Besides, apart from the question of individual profit or interest, horse-racing would not be supported to an extent sufficient to maintain it as a permanent and worthy pastime of the people. The now national sport would soon cease to be the favourite amusement, if the programme put before the public was an indifferent one, or the sport

provided was not well worth looking at—a truth verified by Mr. Tattersall :—

Question.—Have you observed that people are more anxious to attend a race which is for a large sum of money than for a small one?

Answer.—No doubt about it; ten times as many.

Question.—Is a greater interest felt by the middle classes, and by the poorer classes, in a race which is for a large sum of money, than in one that is for a smaller one?

Answer.—There can be no doubt about it. I do not think they would go to see a small one, except the people in the neighbourhood.

No one of any experience will dispute the truth of this statement; for without doubt, when John Bull does take his holiday, he likes the spectacle he has made up his mind to witness, and which he thoroughly identifies himself with, to have a greatness and sterling character about it, in which he can take, and feel, a pride.

But it seems to us, that if a stud could only be supported by means of a private purse—that is to say, that the only possible means of remuneration for the expenses incurred were to be solely derived from the stakes run for, that we should soon have the nobility and gentry of England ridding themselves of so expensive a burden, and withdrawing from the Turf as race-horse owners; and whenever such a thing does come to pass, and the hereditary honour and integrity of that portion of the horse-racing community represented by the higher classes do withdraw in the manner stated, and leave their position of ownership in the

pastime solely in the hands of those in whom *honour* forms no part of their family escutcheon, horse-racing will then be literally open—and without any check—to all the evils and vices of which the sport is susceptible; and depend upon it, whenever the pastime is brought to this position, it will become so intolerable an evil to society in general, that nothing will be heard but condemnation of the whole institution.

Let us, however, not be misunderstood in our remarks; it is not supposed there is *no* honour to be found except amongst the higher classes of the sporting world—it is well known to be otherwise, for the high and better principles of human nature are to be found in all classes and grades of society; but it is certain that the purity of the Turf is better sustained and guarded by the constant opposition and watchfulness of interests and classes; and that the balance of fair and honourable dealing on the Turf is in this manner best maintained, as, in a similar sense, the rights and liberties of all classes of the people under the British Constitution are best preserved by the maintenance of King, Lords, and Commons.

In evidence of the great and high patronage accorded the pastime of horse-racing at various times, and in proof of its continued progress in this respect, we may be excused for briefly recapitulating, first, that from the reign of James I. it has had the support, more or less, of every sovereign that has sat on the throne. So much for royal favour, now for that of the public.

In Cheny's "Racing Calendar" for 1727, there is a

list of nearly 500 subscribers, including the names of 14 Dukes, 57 Honourables and Right Honourables, and 29 Baronets. In the "Calendar" for 1742, the number of subscribers included the following titled names, viz., 20 Dukes, 1 Marquess, 24 Earls, 13 Viscounts, 28 Barons, and upwards of 80 Baronets. Pond's "Sporting Kalender" for 1775, contained a total of 561 subscribers, and this included about 100 names belonging to the nobility. From this time down to the present, the patronage has almost uninterruptedly increased; and in Weatherby's "Racing Calendar" for 1861,* the stewards of the Jockey Club were, the Hon. Admiral Rous, the Earl of Portsmouth, and the Earl of Coventry; the number of its members was 64, which includes the name of H. M. the King of Holland; the annual subscribers include the names of Her Majesty Queen Victoria, 5 Dukes, 7 Marquesses, 23 Earls, 5 Viscounts, 10 Lords, 26 Baronets, and upwards of 700 other names, and which include as foreign subscribers, 8 for the East Indies, Cape of Good Hope 3, Jamaica 2, Russia 2, France 20, Italy 2, Hungary 10, Hanover 1, Austria 2, Brunswick 1, Prussia 6, Mecklenberg 1, Baden-Baden 2, Belgium 2, Mauritius 1, and the United States 5.

But let us examine the statistics given in this chapter from a different point of view to that already discussed, which if not exactly instructive, may be at least amusing.

The table shows that in the past year the number of horses of all ages that ran, was 3,345, and on running

* A later "Calendar" is not at hand.

our eye over the list, we find, in addition to curiosities of nomenclature attached to our equine friends, many persons and things, represented in some cases, perhaps, no less singularly than appropriately. For instance, cards, and the playing thereat, are characteristically enough brought into notice by horses bearing the several names of *Whist*, *Trumps*, the *Knave of Trumps*, the *Queen*, *King*, and *Ace of Trumps*, the *Queen* and *Ace of Clubs*, the *Queen*, *King*, and *Ace of Hearts*, the *King of Diamonds*, the *Odd Trick*, and *My Partner*. The last named, however, might apply, in a general signification, to either a man's confederate in business, or else to his wife, but in justification of our having thrown it amongst this pack, it may be stated that the animal is described as having been bred out of *Whist*.

The stage and the drama are represented by an *Actress*, a *Buckstone*, *Liston*, *Hamlet*, the *Octoroon*, *Slasher and Crasher*, seven *Colleen Bawns*, a *Colleen Dhas*, an *Eily O'Connor*, and a *Lord Dundreary*; whilst pantomime alone is vigourously supported by a *Colombine*, three *Harlequins*, a *Sprite*, a *Clown*, and a *Grimaldi*. Opera is supported in good style by the *Crown Diamonds*, *Dinorah*, *La Traviata*, *Lurline*, *Maritana*, *Oberon*, *Robin Hood*, *Satanella*, and *Trovatore*; whilst music generally commences with an *Overture*, to assist in which there is a *Dulcimer*, a *Violin*, a *Fife*, and a *Kettledrum*, and it has also the aid of a *Costa*, three *Jenny Linds*, *Grisi*, and *Ronconi*.

In connexion with the sea and shipping, there is a

Mainstay, *Foretop*, *Blue Peter*, *Marline Spike*, *Sails*, *Luff*, a *Seaman*, two *Sailors*, a *Sailor Boy*, a *Sea Nymph*, a *Sea King*, and an *Admiral* to command the lot, and which, there being a *Homeward Bound*, it is presumed will reach *Liverpool* in safety, on account of there being also three *Pilots*.

The army, if not numerously represented, it will be seen is at least well and efficiently commanded, as it comprises a *Rifleman*, a *British Grenadier*, six *Volunteers*, a *Bombardier*, a *Light Dragoon*, a *Drummer Boy*, a *Drumstick* (intended beyond a doubt to apply to the army, and not the genus fowl, as it is described as being bred by Rataplan), two *Fireaways*,* a *Forlorn Hope*, two *Ensigns*, a *Major*, *General Havelock*, *General Outram*, six other *Generals*, *Lord Clyde*, and the *Duke of Cambridge*, as Commander-in-Chief it is supposed; and as there is a *Paymaster* to the forces, and the motto is *Death or Glory*, there ought to be no grumbling about short or half-pay, and great things may not unreasonably be expected from this gallant band.

The Church has a *Churchman*, *Church Militant*, a *Curate*, *The Parson*, and, in the true spirit of toleration, a *Methodist Parson*; while the State may be considered as represented, past and present, by two *Lord Chancellors*, *Cromwell*, *Lord Derby*, *Lord Palmerston*, *The Premier*, and *Lord Stanley*. In politics, there is an evident leaning towards the Tory side, as we only find mention made of *Conservative*.

* We have some doubt about this, but it may mean some new invention of Sir William Armstrong's.

In literature, we have *Halliburton*, which must be the genuine article by reason of the stock, as the description runs, out of *Miss Slick*; there is also *Currer Bell*; and, coming to productions of the pen, we notice, *Digby Grand*, *Ask Mamma*, *Gilbert Gurney*, *Jack Hinton*, *Marmion*, *Oliver Twist*, *Peter Simple*, *Leading Article*, *Sporting Life*, the *Woman in White*, and the *Woman in Red*, and to this latter we beg to call Mr. Wilkie Collins' attention. In medicine, there is *Castor Oil*; and of its professors we find four *Doctors*, a *Doctor Holloway*, and one *Quack*.

In connexion with the tender passion and fair sex, there is an *Amorous Boy*, *First Love*, two *Bridegrooms*, a *Bridesmaid*, a *Sweetbride*, a *Sweetheart*, *Sweetlips*, a *Wonderful Beauty*, a *Pretty Horsebreaker* (!), three *Crinolines*, *Pop the Question*, and an *Unprotected Female*; and in addition to the foregoing, and for the purpose of satisfying all tastes, we beg leave to state that there are several *Ducks*, but we regret to say that they are all *Wild* ones. There is also one *Widow*, who, although being described as aged, and only h. b., evidently not only moves in a respectable sphere of society, but can yet maintain a leading position in it; for at the Royal Mid-Lothian Yeomanry Cavalry meeting, and in company of Blooming Heather, Lord Charles, &c., "The Widow jumped off with the lead, was never headed, and won in a canter by 6 lengths."*

The Royal Family is represented by a *Royal Sovereign*—which is meant of course for our present good

* *Vide* Wright's "Racing Record."

Queen—the *Prince of Wales*, and the *Princess Royal*; and the Peerage by 4 *Duchess's*, 5 *Marquesses*, 2 *Dukes*, 1 *Earl*, the *Earls of Surrey* and *Westmoreland*, and *Lord Clifden*, &c. The United and dis-united States, are both acknowledged; but the general non-intervention policy of this country is somewhat exceeded in our particular instance, by reason of our having 4 *Confederates* and not a single Federal, but as we hereby apologise to the "New York Herald" for so gross an insult and piece of favouritism towards the secessionists, we hope no declaration of war will follow our announcement of the fact, particularly as we have no Rebels and only one *Rebellion* in the list, and there is a possibility of the owners of the 4 first named horses re-christening their animals in deference to public opinion in America, as shadowed by the "New York Herald," or at least of docking the name of its first syllable, and so removing the offence. The rest of our American items comprise *Broadway*, 2 *Broadway Swells*, whom we beg to return at once, having quite euough of our own without the aid of foreign importations—a *Yaller Gal*, the *Merrimac*, the *Monitor*, *Bull's Run*, and *Skedaddle*. All the foregoing certainly belong to our American cousins, and the following, although, perhaps, in a measure doubtful, we throw in as presents, viz., *Old Bob Ridley*, *oh! Flap-doodle*, *Jim Crow*, *Red Indian*, *Nigger Lass*, *Redskin*, *Topsey*, and *Bones*.

The above are a few specimens of the many curious names with which some of our race-horses of the present day have been christened, to which may be

added a miscellaneous collection, comprising several dear little *Fairies*, *Valentines*, a *Wee Pet*, and 3 *Babys*; 3 *Aunt Sallys*, a *Beelzebub*, *Babylon*, *Bacchus*, *Bootjack*, *Bosh*, *Blaze*, *Blazes*, *Big Ben*, *Ben Bolt*, *Brandy*, *Brown Stout*, the *Old Gentleman* (whoever that may mean), *The Pig*, *Chicken come Clock*, *Cheery Chap*, *Catch-em-Alive*, *Cheer-up-Sam*, a *Duffer*, *Don't-come-Late*, a *Flat*, and a *Flatcatcher*; *Hardluck*, *Hard-up*, *Heads or Tails*, *Hop-the-Twig*, *Lazy Boots*, *Lazy Lass*, an *Old Orange Girl*, an *Old Woman*, an *Old Rake*, and an *Old Post*; *Post the Coals*, a *Rod in Pickle*, a *Ratcatcher*, and a *Ratcatcher's Daughter*; *Skittles*, *Slyboots*, *Sly Fox*, *Sugarplum*, *Sugarstick*, and *Uncles Ben*, *Harry*, *Ned*, and *Tom*; 2 *Unknowns*, a *Useless Brute*, a *Vagabond*, a *Vagrant*, and *Who-dare-say-boo*; and as no doubt these names were given *All-for-the-Best*, we can say *All's Well*, and finish up with *All Right*.

CHAPTER VIII.

Sweepstakes and Handicapping.

Of the many and various prizes contested for on the race-course in the present day, none are so popular, or form so great a proportion of the sport provided, as sweepstakes. Horse-racing had been established very many years before they were seemingly thought of, and it does not appear as if they were generally introduced until the wane of the eighteenth century. From the Hon. Captain Rous's book * we gather, that of 261 races run in the year 1762, there were 49 matches, 38 sweepstakes, and 205 plates. In 1807, there were 782 races, of which 189 were matches, 263 sweepstakes, and 269 plates. And in 1843, the number of races was 1218, of which only 86 were matches, 191 plates, and the large number of 897 sweepstakes! These

* On Horse-racing, &c. The figures as given by Captain Rous do not exactly agree: the first three divisions make a total of 292, not 261; the second three divisions a total of 721 instead of 782; and the third several divisions a total of 1,174 and not 1,218. But no doubt the author could account for the apparent discrepancy.

figures show that of late years this description of prize —including of course handicaps, which although somewhat different in conditions, belong to the same denomination — constituted the main feature in the programme of the year's sport; and it will be seen that there were many considerations which accounted for the partiality shown them.

But there is no doubt that, apart from public favour so accorded, the introducing of sweepstakes, and the leading position they ultimately held in horse-races, gave a great impetus to the pastime itself, by reason that so many more, and richer stakes, were provided as prizes to be contested for. The area of Turf operations was, as a consequence, greatly enlarged: a wider field was opened up for the race-horse to contend upon; and an additional inducement was thereby offered to the owner and breeder, not only to increase the stock of the thorough-bred, but to raise the qualities of the animal to the highest point of perfection possible. And in this latter sense, it may be said that sweepstakes also materially assisted in the improvement of the race-horse; or, at least, if the argument is not strictly applicable, because in point of time the improvement spoken of was in a great measure effected previous to sweepstakes coming into vogue, that undoubtedly the circumstance added to the inducement for keeping up in the highest degree a superiority and excellence in the racer, which might otherwise have languished because a primary object or inducement was wanting.

Let us, however, enter into a few particulars respecting these sweepstakes, and endeavour to account for their

forming the staple amusement of the race-course. Previous to their introduction, a great proportion of horse-racing contests were simple matches, in which an owner, or both parties interested, stood to lose just as much as could be won—we mean as regards stakes alone, betting not being taken into consideration; but by means of a sweepstakes, the chance, as regards simple profit and loss on the transaction, was 10 to 1, more or less in his favour; although again, with respect to success, the odds were generally in a corresponding degree against his winning anything. But this was not the only favourable or advantageous feature peculiar to sweepstakes, for by its means the small capitalist was enabled to enter into Turf pursuits. The prospect of making money by horse-racing—an easy and delightful theory in contemplation, but, in a great measure, an illusion in practice—at a small outlay from 5 to 50 guineas, presented itself to breeders, trainers, and any one who could either raise or borrow the amount required, in addition to those we may term the legitimate race-horse owners. The introduction, moreover, of the system, if it may be so called, so far changed the nature of the pastime, that it completely knocked down a privilege hitherto held by the aristocracy of the sport—we mean those who not only kept a racing stud, but had the private means wherewith to maintain it, and let in any one who, as we have just said, could raise a few pounds, and had a desire for this sort of speculation; and as a consequence, the *parvenue* is often to be found usurping the privilege and triumphant over the peer on the race-course. As

thus:—Lord A. has a moderate racing stud which he maintains at an annual expense of some £12,000 or £15,000, and, naturally enough, one expects to find his lordship figuring upon the Turf; while Mr. B., who possibly may not have the ghost of a property qualification as regards real or personal estate, but by some means or the other has become possessed of even one-fourth share or interest in a race-horse having a good turn of speed, and by the outlay of a few guineas for entrance money, not only figures almost as largely upon the race-course as the peer himself, but completely bowls over the chosen equine representative of a stud which costs some thousands yearly to support! Of course there can be no fault found with a principle which admits of all classes entering into this spirit of enterprise and competition for honour and profit combined. The illustration is only made use of to strengthen and explain the proposition laid down:—In this land of liberty it would be impolitic to dogmatically maintain the reverse opinion; and it would be little less than sheer folly to seriously endeavour to establish a privilege which should be thus peculiar to one section of society.

For a reason similar to that which is said to create an alloy for every pleasure, we presume the advantages attaching to sweepstakes are also accompanied by disadvantages. But be the reason right or wrong, the fact itself is unfortunately indisputable; and it is to be regretted that in the management and practice of sweepstakes generally, that more can be said against them than in their favour. The evil complained of

cannot be called an inherent defect in the system itself, but springs from the simple, though great and lamentable truth, that mankind will not upon all occasions be honourable in their dealings towards each other. If we could disabuse our minds of the ugly fact that a great number of the horses not only entered but actually running in many of the races were put before the public, and started for purposes the very opposite of winning, we should not hold this opinion, or have anything to say against sweepstakes, large or small; but when the reverse is so well known to be the case in many instances, condemnation is not only natural but justifiable. And even if the question does not become one of actual toleration of the system, it is certainly only a matter of common sense and wisdom to endeavour to base it upon some better principle than it stands at present; for whenever any flagrant piece of jobbery occurs in connexion with sweepstakes—indeed the observation applies to races of all denominations, and to any abuse connected with the pastime—so loud an outcry arises, that what is only meant at the moment to apply to one particular evil or branch, gradually extends to the whole institution, and then we hear a shout of "do away with the sport altogether."

In consequence then of this proneness in sporting men to convert the uses of a sweepstakes race into abuses, this species of sport or race becomes a serious sort of evil, inasmuch that where dishonourable practices are determined upon, greater facilities are afforded for their perpetration; as for instance, the pulling of a horse, or other device resorted to for losing instead of

winning a race, and yet and thereby deceiving the public as to intention, is more easy of accomplishment in a large than in a small field of horses. And here, again, originates another question in relation more particularly to sweepstakes, although it has also a general application, and one respecting individual privilege or right. The question, which has been argued and advocated *pro* and *con*, is, has a man a right to do strictly what he likes with his own in respect to the running of his horse in a race; that is to say, the question as between the individual and the public is, is the horse to be permitted to run for the purpose of losing as well as winning a race, at the untrammelled pleasure and option of the owner? In a public point of view it is maintained, that where a horse is once brought within scope of betting operations, that horse as far as regards the act of running and intention therein, at once belongs, in a moral sense, to the sporting public as well as the owner, and the argument in support of this affirmation consists simply, we presume, in the moral responsibility which attaches to horse and owner from the fact of its taking upon itself and accepting a public as well as a private obligation by virtue of the act committed. Now a question thereupon arises, whether the argument will hold good considering that even if the moral responsibility said to attach does exist, that it arises solely from the public electing to make a gratuitous use of individual, if not of strictly private, property; and that to usurp the grand privileges of individual property upon such grounds, is nonsensical and preposterous. On the other hand it is asserted,

that in a handicap sweepstakes an owner is obliged at times from sheer necessity, to run his horse to lose for the purpose of getting weight taken off for a future event; and that however deceitful such an act may be towards the public, it is one which is perfectly justifiable under the circumstances that the act becomes necessary for his own interests. Why, argues the owner, should I be obliged, after having spent some pounds in entrance money, and which must be partly sacrificed in any case, to run uselessly, and probably deteriorate the power and value of my horse, in a race where, from the weight he has to carry, I do not believe he has a fair chance of success against others? or why should I be obliged to run the horse to win under such disadvantageous circumstances to my own interests, or else withdraw my horse altogether, in which latter case I should gain no future advantage in any weight apportioned my horse to carry? for it is well known that if a horse wins a handicap race, a penalty is sure to attach for a future race; if my horse is withdrawn from the race, no advantage results; but if my horse does run, although unsuccesfully as regards winning, or, better still, figures badly in the race, he is almost sure to be treated leniently for the next handicap I may enter him for: this, most certainly, is the system of handicapping for sweepstakes upon public performance. Besides, says the owner again, it cannot be expected I should risk my money upon a race in which I conceive my horse has no very great chance of winning, when I can reduce that chance to a greater certainty by working and waiting for a more favourable opportunity.

Such, it may be supposed, are the principal arguments which could be used on both sides of the question; and it will be noticed that on behalf of the owner, we do not suppose if a horse is permitted to run for the purpose of losing a race, that the object could be expressly to make money by the act, but only for the purpose of accomplishing the same object on another and future occasion in a more legitimate manner. We ought, perhaps, also to have added in support of the owner's view of the question, that the right to do exactly what one likes with his own, is a dogmatically asserted privilege peculiar to Englishmen; and that this right is considered to become a more especial individual and private privilege in the particular case in question, from the circumstance that a race-horse is not only kept solely for individual pleasure and profit, but solely at individual or private expense; and therefore, again, all action and control with respect to it, and with regard to object and intention in all matters pertaining either to pleasure, or profit and loss, remain with the owner and not the public. This latter view of the case in particular, as well as the question generally, has been supported by some strongly expressed opinions, of which we will adduce a few. The first is the opinion of the Hon. Captain Rous given in evidence before a committee of the House of Commons:—*

Question.—Suppose a person to have backed a particular horse, and to have reason to believe that that horse could have won the race had he been allowed to do so, but that the owner of the horse, from reasons best known to himself, had by some

* On Gaming, in 1844.

arrangement with others as to the other horses and so on, had not allowed the horse to win, would you think that a person losing under such circumstances had a claim to recover the money back again?

Answer.—Not in that instance. In the first place, if you choose to back another man's horse, you do it at your own risk. I have hardly ever known any instance of gentlemen losing their money on the Turf, especially those not much on the Turf, when they do not conceive that they have lost their money rather from roguery of others than from their own stupidity; they had always much sooner make out the rest of the world to be rogues than that they themselves are fools.

There is no doubt whatever that such is the fact in many cases, and no one is better entitled to give an opinion on the matter than the gallant Captain. But,

Question.—Suppose a man bet a large amount upon a particular horse, trusting to his own knowledge of that horse's powers, and to his own observation, and he discovered that that horse could have won had he been permitted to win, is it your opinion that a person so losing money would have good reason to complain?

Answer.—He might complain, but he would have no right to get his money back if he was fool enough to back a horse not belonging to him; if I may use the expression, he sails in the same boat with the owner of that horse, and if the owner chooses to mismanage the horse, the parties who bet on the horse must suffer with the principal.

This answer may be all very well in its way, but *the* question is, has an owner the *moral* right—admitting that *legally* he has the power to do what he likes with his own—to *mismanage* that horse? However, we continue the evidence, for although what immediately

follows is in a measure somewhat wide of the particular point under discussion, the experience and authority of the witness as a racing man, conveys instruction generally in connexion with our subject.

Question.—It would be fair to win with your own horse?*

Answer.—Yes; the only thing is, that a man is very foolish to bet on another's horse; he has no right in fact to back any man's horse but his own; the orthodox way is to back the field, and if a man picks out a favourite, he must do it at his own risk.

A man may be *foolish* to do what Captain Rous says is not the orthodox method of betting, and undoubtedly when the foolish act is perpetrated, it is done at his own risk; a certain amount of risk in the act is expected, but should that risk be permitted to overstep what we may call its legitimate bounds, and extend itself to that part of the transaction which amounts to nothing less than a *breach of faith* on the part of the owner towards the public—we mean in a case where the horse is prevented from winning by the owner?

Question.—Suppose he discovers that the horse he picks out could have won but was prevented winning by an interference with it in some way, would he not have a reason to complain that his money had been unfairly taken from him?

Answer.—He might have reason to complain, yet I would afford him no redress, for he has no right to bet on that particular horse; no man can say that another's horse can win; he may imagine such a horse can win, but I defy any man to say, certainly, such a horse could win, and such could not win.

* The meaning or purport of this question we cannot exactly comprehend, but it is given for the sake of the answers that follow.

Some people think that racing is reduced to a great nicety; they imagine that horses always run the same, and they can calculate to a nicety what horse can win, but I never met a man yet who was able to judge of the transaction; and not only that, but the more persons are conversant with horses, the more they will know of the uncertainty of racing. I have tried one horse one week, and he has been beaten by a quarter of a mile, and then perhaps two weeks after, in consequence of having a couple of sweats, he has won a second trial on the same racing terms.

The question then put was, that it seemed impossible to prove to demonstration that any one horse could win any particular race, and to which was given the following

Answer.—Yes, even for the jockey; I have often made matches on the representation of the jockey, that if he had not done so-and-so he could have won, and in nineteen out of twenty cases I have found the jockey wrong; any man who follows the advice of his jockey is sure to be ruined.

As to this statement of the witness's, we believe there are plenty who will differ with him as to the value of a jockey's opinion; but we continue the evidence.

Question.—It is stated in a book which I hold in my hand, that Mr. Watt, being the owner of *Belzoni*, was offered a very large price for it. This horse at the time was a great favourite, and his answer was, "No; my horse is the property of the public at present." Do you agree in the force of that remark of Mr. Watt's?

Answer.—No; I conceive the horse is the property of the individual. I know it is a favourite argument that the

moment a horse comes out in public betting, though the owner of the horse has not backed him for sixpence, from that moment the horse is public property ; and in the event of the horse being amiss, or the owner knowing that the horse has no reasonable chance of winning, thinks that it is not worth his while to have the expense of sending him to Epsom or Newmarket, the owner is abused for not sending him ; but not one of those gentlemen would subscribe one and sixpence to send the horse there, or pay the extra expenses incurred by starting him. It is a very delightful theory that if, for instance, I have a horse in the Derby, and a person chooses to back him for £500 or £600, the horse becomes no longer mine but public property, and I must do what they please with him.

The pith of the remaining portion of the witness's evidence upon this point was to the effect that a man had a perfect and indisputable right to do what he liked with his own horse, and that it was "the greatest piece of impertinence possible on the part of bettors to claim a right over your horse under such circumstances," viz., the right of his disposing of a horse even if it was a favourite for the Derby if a larger sum of money was offered for it than what he considered its actual value ; but he would qualify any such proceeding on his own part, if he thought the party offering had a dishonourable intention in purchasing of preventing that horse winning—in such a case he would not sell his horse, because he would not become a party to, or implicated in dishonourable transactions ; in fact he would, in other cases, deal with his horse exactly as he would with any other description or portion of his private property.

Such are the ideas and opinions of Captain Rous upon the question ; but, of course, although the now

gallant Admiral insists upon doing what he likes with his own, and does not apparently admit any moral obligation or right pertaining to the public in the sense we think they are in a great measure entitled to, yet it is well known that his high sense of honour would prevent him even contemplating running a horse for the purpose of making money by the transaction through his horse intentionally losing instead of winning a race.

We will now take a little evidence tending to the opposite side of the question. The witness is Captain Berkeley, R.N.

Question.—Suppose that a horse is a favourite, and that a little while before the race he becomes a little amiss, that he has a cough, or he may be lame and so forth, and that this is known to the owner of the horse, do you believe that it has been the practice, in many cases, for the owner, when such things have come to his knowledge, to employ a friend to lay out money against his horse, and thus to hedge?

Answer.—I have no doubt it is a fact that the owners and very many of the public trainers are very heavy bettors; and I have no doubt of the fact, that if a horse was amiss, and that if they knew it was impossible that he could start, they would go and get some third party, because it would not do to go into the ring themselves, as the thing would be too public; but they would get a third party to bet against the horse; and when you once admit that principle, you cannot tell how far it will go, because I conceive that when that is done with the knowledge of the fact, it is nearly amounting to the same as playing with loaded dice, because with the knowledge of the fact, you make a bet with a man who can have no such knowledge; and when you once admit the principle, although it may be only done to hedge your own stake, although it may

be only done to secure yourself from a decided loss, you cannot tell, when once the principle is admitted, how far it is pursued, and my belief is that it is pursued to the winning of considerable sums of money.

Question.—Supposing such a transaction became known, what would be the consequence to the person who was the chief agent in it, upon the Turf?

Answer.—None whatever; the man hedges his money—it is a thing that is constantly done, I believe; I am now speaking from what is generally believed by others on the Turf, and that have to do with the Turf, and I can speak of it also particularly from my own observation.

Question.—Supposing the case which has been just put to you occurred, that the owner of a horse being apprised that his horse was lame, did not inform the public, but procured a third party to hedge for him, and that became perfectly substantiated to the gentlemen upon the Turf, would any consequences ensue to that owner of the horse from those gentlemen with whom he was connected; would they refuse to enter into engagements with him, or take any other measures?

Answer.—I do not know that they would.

Question.—Have you ever heard the opinion expressed amongst respectable men that such hedging as you have described may almost be deemed a robbery upon the public?

Answer.—I am not aware that I have; but I would observe that such hedging often falls into the hands of the trainer, and if the trainer employs a third party, of course that third party not only hedges to the amount that he is employed by the owner or the trainer of the horse to do, but he also does a little business for himself. He thinks it is too good a thing to lose a chance upon the amount of bets in that way, because he is aware that the horse must be out of the question in running.

Question.—You are understood to say that you consider

that if a man offers money against his own horse, to hedge his own bets, when he has reason to believe the horse will not win, that is a public robbery?

Answer.—I cannot conceive that it is honest.

Question.—Therefore you conceive that running horses are the property of the public?

Answer.—Certainly, in some measure. If a man chooses to put his horse into a play-or-pay race, I should consider that it would be a very extraordinary thing, if the horse is fit to run, that upon any pretence whatever, the horse once being put into a play-or-pay race, he should refuse to let that horse run and do his best.

Question.—The question refers not to refusing to let him run, but to a man who keeps secret some accident that has occurred to the horse, for the purpose of hedging his own bets?

Answer.—The system of hedging, because you know that the horse is ill, I cannot look upon as an honest transaction.

Question.—You consider that the horse is the property of the public in a modified sense?

Answer.—If the horse is amiss and unfit to run, and the public choose to bet, they must take the consequences; but I do not think it is fair if the horse is fit to run to withdraw him from a play-or-pay race upon which there is a great deal of money betted.

The next witness is Mr. John Day, who gave the following evidence upon this matter.

Question.—Did you ever hear of a horse being run to lose a race, in order to be lightly weighted at a subsequent handicap?

Answer.—Yes, I have known it done in order to claim the allowance, because he is not fit to run; then he stands to be handicapped.

Question.—You have known horses run on purpose to lose

a race, that they might be enabled to be lightly weighted in some valuable handicap afterwards?

Answer.—Yes, when the animal runs to claim his allowance. Every animal is at liberty to run for any handicap that he may be put in, because he is not trained to run for that race. The gentleman that the horse belongs to declares that, so that they should not bet on him; and when all the gentlemen know that, it is considered fair. He could not win the race in question, because his condition would not let him.

We will now hear Mr. John Scott.

Question.—Does it ever happen that a horse is started for the purpose of being beaten?

Answer.—Yes; I have known horses started at Liverpool or at Newcastle to get an allowance for Goodwood; and even taken to Scotland to get an allowance for weight.

Question.—In order that by losing the race they may get a lighter weight for some other race?

Answer.—They get an allowance made by starting for that race.

The foregoing evidence is a fair illustration of both sides of the question, from which in the first place it is clear, that the subject itself is worthy of discussion by reason that the question mooted is one in which *two interests* are very materially affected. The question is not an unimportant one, for if it is decided that the owner of a race-horse has the moral as well as legal right to do exactly what he likes with his horse in all cases, and this principle is admitted and carried out to the fullest degree, it cannot but place *every* man, other than an owner, who makes a bet upon the Turf, at a serious disadvantage. In fact,

equity in the transaction is completely thrown aside; and for one man to make a fortune at the expense of others, it is only necessary to become an owner, and after admitting the principle, of acting upon it. It is said that horse-racing could not long support itself or exist without betting; but if the owner is to have all the advantages on his own side, the side so favoured will soon make bankrupt and destroy the other. But let us view the question in another light. To admit the principle to the full extent is to completely abrogate in practice what is insisted on as a precept, for the golden rule in all betting transactions is, that the *possibility* or *chance* of either winning or losing must be divided between both parties to the bet: the possibility of winning a bet made must remain or exist in both parties at the moment it is made, or else the bet is void according to the Turf code of laws; nay, more, as if the principle contained in the transaction should also have an element of *fairness*, the *proportion* of this possibility of winning or losing is supposed to be *equalised* by means of the *odds*, an object which would completely fail in effect if one of the parties to a bet in reality had no possibility or chance of winning it. Besides, if one party, or the owner, is permitted to openly profess one thing in public and practice another in private; if, in fact, there is to be no moral obligation acknowledged by the owner towards the public as regards good faith and honourable intention, the fair and upright dealing as between one man and another will be totally destroyed; the other party will govern their actions by a

similar principle, and in place of honourable dealing between all parties, we shall have each striving to effect his object simply by fraud and deceit.

As to the moral obligation spoken of, there can hardly be a doubt, that when an owner enters his horse for a public race, he becomes liable to certain laws that regulate particular actions relating to the transaction itself, and that even where this law is only based upon custom, it has as much right to be obeyed in its dictates as any statutory enactment, providing such law or custom has in it the elements of equity, and the principles of right and wrong. In the particular case argued, the proof that the moral obligation does exist, is shown in the fact that what is publicly asserted and maintained to be a right is in general only attempted to be carried out *in secret:* the very means adopted to accomplish the object proves the so-called right a fallacious one in doctrine, and wrong in principle.

If this argument is a good one, the obligation is established; and the owner, by the act of entering his horse for a public engagement, saddles himself with a certain responsibility separate from private rights—in truth, the private right is in a measure voided by the acceptation of a public obligation which becomes connected with it. This obligation, moreover, may be proved to exist in another manner—viewed, not as a matter of right, but as one of simple *fact:* every owner that enters a horse for a public race, is perfectly well aware of the position in which he stands with the public, and that whatever may be his real *intention*

with regard to that horse, but one *motive* must appear on the face of it. The *avowed* intention is the winning of the race with that horse if the same is in any way possible of accomplishment, and upon the *faith* of this understood and apparent intention, the public back it. The public are wronged even when the owner himself has no book upon the race, or bet upon his horse, but in a case where the owner avails himself of a secret intention and lays against his own horse, it is nothing less than a positive fraud; and it is no less a fraudulent proceeding, only one of a less degree, when the object of the owner is not to make money by the deceit used, but only to save himself from a loss by hedging, for whatever in this case may be a gain on his side, must be a corresponding loss on the part of others. Certainly, in this latter instance, a moral justification may be found for the wrong committed in the circumstance that the carrying out of the principle would result in a pecuniary loss to the owner if he was to be debarred altogether from hedging his bets, and the only remedy that seems capable of saving an owner from loss where he has backed his horse to win, but the animal is unable of starting from causes over which he has no control, and at the same time render justice to the public, is to abolish play-or-pay betting. It may be said that to do so would interfere with or render less the profits of the *bookmaker*, but we are basing the argument upon what should be the grand principle in all transactions, viz., fair and honourable dealing between all parties; moreover any such loss of profit

would be set off by the general advantage resulting from perfect confidence in good faith and honour.

Now, if it is thought that, as regards the general action and conduct of the horse-racing community the foregoing case and statements are somewhat exaggerated or uncalled for, or that the necessity for the lengthened argument does not exist; that, in fact, the actions of all parties are at all times governed by principles of right and wrong with regard to fair and honourable dealing in Turf transactions, beyond a doubt a real knowledge of many past transactions would lead to a different opinion. Without a doubt, there are many highly honourable men connected with the Turf, but it is equally certain that there are others in whom no such good principle exists; and it therefore becomes necessary for the sake of all, that all matters in connexion with the pastime should not only be rigorously watched, but that in every detail, it should be placed upon that footing which should, at least, render dishonourable and unfair actions less easy of accomplishment. In proof of our views of the case, and that a "Reform" Bill is more often requisite in the constitution of the Turf than in that of the country, we will instance a few examples. The first is a letter written by the Earl of Derby to the Stewards of the Jockey Club:—

"St. James's Square, June 30, 1857.

"My Lords—It has become a subject of general observation and regret that the number of men of station and fortune who support the Turf is gradually

diminishing; and that an increasing proportion of horses in training is in the hands of persons in an inferior position, who keep them, not for the purpose of sport, but as mere instruments of gambling. I am aware that it is not in your lordships power to apply a remedy to this acknowledged evil; but I conceive that there are occasions in which it is within your power, and if so, I venture to think that it is your duty, as Stewards of the Jockey Club, to exercise a wholesome influence upon the character and respectability of the Turf. You cannot debar any man, whatever his position in society, from keeping race-horses; nor do I recommend a vexatious and inquisitorial scrutiny into the character and conduct of those who do so; but when among their number are found those against whom flagrant cases of disgraceful fraud and dishonesty have been legally established, it appears to me clearly within your province to stamp them with your reprobation, and to exclude them from associating, on an equal footing, with the more honourable supporters of the Turf. Such a case for your intervention has, I think, arisen out of the late trial of Sidebottom *v.* Adkins, inwhich a sum of above £6,000 has been recovered from the defendant, on the avowed ground that it had been won by cheating with loaded dice. I cannot but think that this is a case which it concerns the honour of the Jockey Club not to pass over in silence; and it would afford me great satisfaction to learn that you had taken it up in your official capacity; but in the event of your declining to do so, I have to request that you will lay this letter before the Jockey Club at their next

meeting. And as I am doubtful whether I may be able to attend the July meeting, and certain that I cannot do so on Wednesday, I will thank you to give notice, on my behalf, of the following resolution:—

'That the Jockey Club, having taken into their consideration the facts proved in evidence in the late case of Sidebottom *v.* Adkins, direct that Mr. Adkins be warned off the heath at Newmarket, and that no horses of which he may be in whole or in part owner be allowed to run on any ground over which the Jockey Club exercise jurisdiction.'

"I have the honour, &c.,

(Signed) "DERBY."

Upon receipt of this letter, at a meeting of the Jockey Club,

"It was unanimously agreed—

"That the resolution contained in Lord Derby's letter be adopted, and that his Lordship's letter be published with the minutes of this meeting."

There is no occasion to multiply such evidence to any great length, because the circumstances of which we have been speaking are pretty generally known and believed as truths, but the following instances relate to other branches of the pastime than the one referred to in the foregoing letter. The first quotation refers to the unruly conduct of jockeys at the starting-post, and the great number of false starts purposely made to suit private purposes.

"It is the *presumption* that in racing noblemen and gentlemen desire to test *fairly* the speed and endurance

of their horses, but it is not so in *fact*, particularly in short races, as the directions given to the jockeys in nine cases out of ten would, if made public, fully prove."*

The next relates to the weighting of horses for handicap sweepstakes, and speaks for itself:—

"Lord Stamford's horses are generally pretty heavily weighted by handicappers—he is an honourable nobleman, and no 'leg' should be allowed an advantage over him. Mr. Topham did not make this handicap,† if he had, half the sporting press would have been engaged to blackguard and run him down."‡

The following has reference to the Jockey Club, and requires no preface or explanation:—

"Public respect towards them as a body has been greatly diminished by the irregularities of gentlemen connected with their own body, and individuals connected therewith giving way to the temptations of betting and backing horses. Such noblemen as the Duke of Beaufort, Lords Derby, Glasgow, and Portsmouth, are above this reproach—they do not yield to the spirit of speculation, or handicap horses with a distinct bias in favour of their friends and relatives. Admiral Rous means well, and is a sportsman at heart, but he is imperious, short-sighted, and when he gets an idea into his head, he is obstinate to a degree."§

* "Bell's Life," October 12, 1862.
† The Cesarewitch Stakes.
‡ "Morning Herald," October 13, 1862.
§ "Daily Telegraph," October 20, 1862.

We are not sure that the two last extracts are quoted in the exact words in which they originally stood, but any way the meaning is preserved.

But this lengthy chapter must be brought to a close, and reverting to the main subject at the head of it, sweepstakes and handicapping, it is certain that the door is not only open to fraudulent practices, but that the same are often perpetrated; and although a complete remedy for the evil may not be within reach, it would seem as if it could be in a great measure rectified by making it a rule in handicap sweepstakes, that after a weight was once apportioned, there should be no reduction of it for a lost race, or if any reduction, that it should be of that *minimum* description which would at least necessitate the losing of half-a-dozen races to get about as many pounds off. Indeed, upon looking at the present system of handicapping, it appears to be based upon erroneous ideas and principles. The object which it is desired to effect in a handicap race is, that the natural powers of all the horses engaged therein should be brought to an exact par, or level, by the means and distribution of weight which each carries.

Now let us see how this is sought to be accomplished. In the first place, the handicapper takes public performance as the criterion or standard by which he measures capacity, and the fallacy of which is at once evident from our previous acquaintance with the fact that so many horses are run for no other purpose than losing; and in the second, he makes use of his judgment in arriving at a conclusion as to how many stone or pounds would have brought the nose of the last horse in a race, and also that of every intermediate one, in a level line with that of the horse at and first past the winning post. Now leaving out of the question our

knowledge of how the handicapper is in truth deceived in all cases where the horse is not intended to pass the winning post first, how many men are there who would form the same relative opinions as to the qualities of each and all the horses he passes in review from their running? Would it not be just as well in a measure to frame handicaps upon a similar rule and standard as that which now regulates the running for Royal Plates? The doing so would remove all grounds for complaint respecting bias and favouritism, and would do more than anything else to abolish the unsportsman-like practice of running horses to lose a race. Besides, the system has another evil attending it: the really good animals in a race, and many of the cream of our race-horses, are either effectually shut out of a race by reason of the heavy weight they have to carry in order to put some other, perhaps worthless, brute on a par with them, or else their backs are almost broken with the impost they have to carry in running for it.

In conclusion it may be said, that although there may be no value in the observations offered, yet the motives are good which actuated them; for it would be a matter of regret if a sport which has been for so many years a chief pastime of the people should become so corrupt in practice as to destroy itself, or even be considered in the light of a social nuisance because those connected with it had become so loose in their actions, or its chief representatives so supine in their duties, as to cause it to sink into a degraded position, and in the place of being looked upon and regarded with interest, to hear of nothing but universal condemnation.

CHAPTER IX.

Give and Take plates.—Poisoning of race-horses in 1809–11.—Attempt to establish races on Wormwood Scrubs.—Derby of 1819: great number of levanters that year; great number of thefts.—Newmarket: some particulars of races there in 1825.—Qui Tam actions: particulars of one brought in 1824.—Epsom Races: dispute between the lord of the manor and racing authorities.

ALTHOUGH a former chapter was exclusively devoted to the occurrences of one year, we have now so far progressed in our history and record of the pastime, that ere very many pages the reader and author will part company; and although the concluding part may perhaps appear to be somewhat hurried by reason of our annihilating time, and skipping over, unnoticed, many years which nevertheless had an existence, our doing so simply arises from the circumstance, that however eventful or interesting those years may have been to the world in general, they contained nothing very worthy of note to our sporting world in particular, and our silence in this respect will pass over many ordinary horse-racing transactions, but very few extra-ordinary ones.

In Chapter VII. the records of the pastime may be considered as having been brought down to the end of the 18th century, and it remains to be said, that up to about this date, a great feature in horse-racing

contests were those known as "Give and Take" plates. Thus, at Abingdon Races in 1776, one of the prizes given was "the Corporation Give and Take Plate of £50; aged horses, 14 hands high, to carry 9 stone, higher or lower, weight in proportion," &c. The system was one in which horses carried weight for height, regulated by the respective proportions of the different animals. These proportions were based upon a standard of four inches to a hand, and 14 lbs. to a stone; and the relative weights were apportioned by a scale which imposed or allowed 7 lbs. to an inch. The fixed rules again, which determined the relative weights of the several horses engaged in Give and Take plates were, that horses of 14 hands in height carried the stated weight of 9 stone, and all those above or below that height had to carry 7 lbs., more or less, for every inch they were higher or lower. By this standard, therefore, a horse measuring 14 hands and 1½ inches, would carry 9st. 10 lbs. and 8 oz.; and a horse measuring 13 hands and 2½ inches, would be weighted with 8 st. 3 lbs. and 8 oz.

There is no doubt these Give and Take plates were much in vogue with our sporting ancestors, and that they were very early introduced; brought into customary practise even before we have any clear evidence of the fact, as the idea would not unnaturally suggest itself, that the capabilities of the animal principally, or at least, in a degree, consisted in its size, and hence the statutory enactments in this respect made in the reign of Henry VIII., &c.* That this description of

* See p. 28.

race was one very common in the country at one period, although now quite obsolete, is clear from the following table taken from Pond's "Racing Calendar" for the year 1755.

A table showing what weight horses are to carry for the Give and Take plates from 13 to 15 hands high, 14 hands to carry 9 st.; whatever weight 14 hands are to carry different from this table, it is only adding to or diminishing from the number of stones, and the pounds and ounces for the odd measurement will remain the same; as for example, if 14 hands is to carry 10 st., then 13 hands and ½ a quarter will be 8 st. 14 oz.; or if 14 hands is to carry 8 st., consequently 13 hands and ½ a quarter would carry but 6 st. 14 oz.

	st.	lbs.	oz.
13 hands	7	0	0
and ½ a quarter of an inch . . .	7	0	14
and a quarter	7	1	12
a quarter and ½ a quarter . . .	7	2	10
and ½ an inch	7	3	8
½ an inch and ½ a quarter . . .	7	4	6
and ¾ of an inch	7	5	4
3 quarters and ½ a quarter . . .	7	6	2
one inch	7	7	0

The table then gradually progresses to 14 hands carrying 9 stone, and then continues up to 15 hands weighted with 11 stone.

We have so far described the nature of Give and Take plates, and the weights allotted to horses of different proportions in height, but it yet remains to be stated how these proportions were ascertained, or in what manner the horses were measured. The

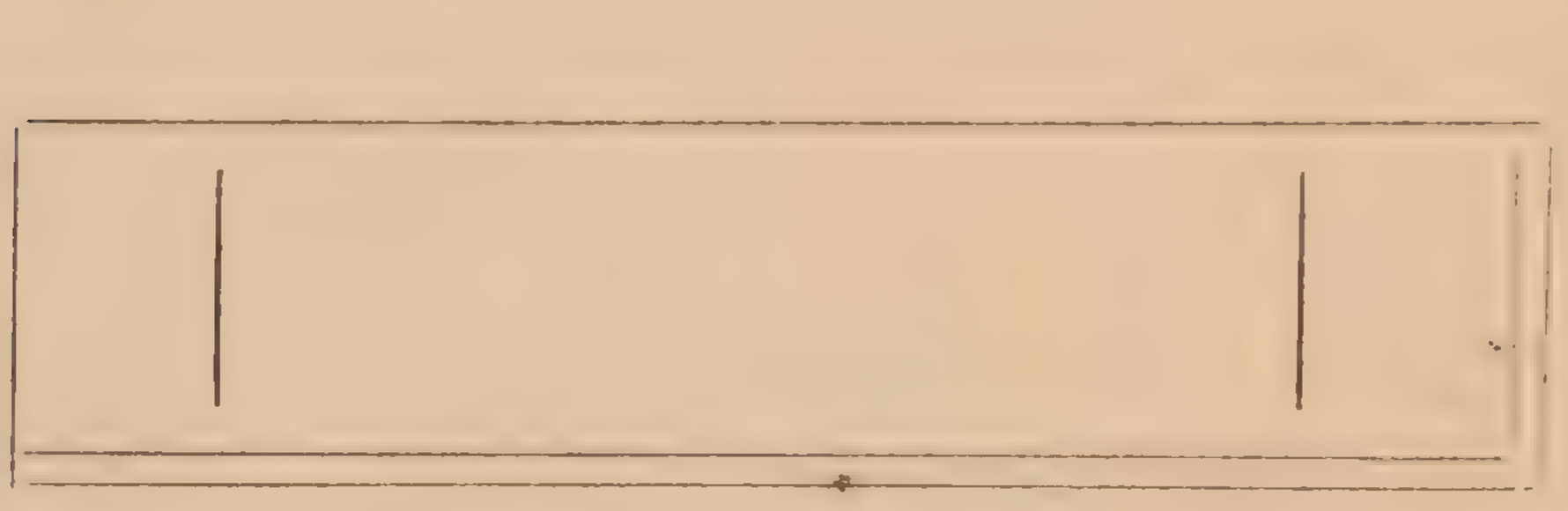
method we find described in an old number of the "Sporting Magazine,"* and the information it contained upon this point, is said to have been derived from an old man who was employed as a ditcher and repairer on the York Race-course, and who had himself assisted in measuring horses for Give and Take plates in his younger days. It appears the horse to be measured was placed or stood upon a flat stone near one of the rubbing houses, situated on the course close to the Grand Stand,† and that in the process of measuring, the owners were allowed to extend the animal's legs apart to a certain mark cut upon the stone, and no farther. A little reflection will tell us that a line so fixed upon was necessary to ensure the right measure being arrived at, and also a degree of fairness in the process, for there would undoubtedly exist a considerable difference in height as between two horses, one of which stood in a natural upright position, and the other in a less natural position, or with his legs placed wider apart than the first one. The advantages and disadvantages in the case as stated were not only seen but made use of, and we are not surprised at this informant stating that one of the "tricks of the Turf" in connexion with this measuring of horses, was a practice of making the horse shrink down when touched by anything on his withers; and thus, when they felt the standard, they would, from use, crouch a little, which of course made them appear less than they really were, and a less weight would be

* For November, 1827.

† The informant was speaking of the method in use at York.

given them for the race. It was, moreover, stated by this informant, that the horses were trained to the practice spoken of by the stable lads constantly napping them on the part, or withers, with a stick.

It also appears, that at the time the above information was given, the stone spoken of was searched and dug for, and was discovered without much difficulty near the spot stated. This stone measured six feet four inches in length, and three feet three inches in breadth; and presented the following simple appearance—



* * * *

In 1809, the disgraceful act of poisoning race-horses was perpetrated at Newmarket, as the "Racing Calendar" for that year contains an advertisement offering 100 guineas reward for the discovery and conviction of the person or persons who it was expected poisoned the water in a trough belonging to J. Stevens, stable keeper, from which the horses drank. Two horses suddenly died, and others were injured from drinking the poisoned water on this occasion, but the perpetrators escaped justice this time; and no doubt, emboldened by their having cheated the hangman of his due, again committed a similar offence in 1811. This

time the poison was put into the water in a trough belonging to Richard Prince, a trainer of Newmarket, as also in two other troughs on the heath, and from drinking out of which four horses died, and several others were harmed. The evil was evidently getting serious; the water was tested and found to contain a preparation of arsenic, and the Jockey Club at once offered a reward of 500 guineas for the detection and conviction of the guilty parties. This second and large reward seems to have accomplished the end desired, for on August 15, 1811, a low touter of the name of Daniel Dawson was apprehended at Brighton, and was tried at the Cambridge Assizes in 1812 for the offence. At this trial, his accomplice, Cecil Bishop, turned king's evidence, and from his disclosures it appeared that in 1809, Dawson had poisoned some horses at Doncaster, by putting corrosive sublimate into a trough there. At Dawson's instigation, Bishop went to Newmarket, and put the arsenic into Mr. Prince's trough by means of a crooked syringe; but this was only part of what he had to perform in the nefarious transaction, as he then watched till he had seen the horses drink, when he immediately went off to Dawson and told him of the fact, that he in turn might give notice to his allies in the betting ring. From this the object was not more disgraceful than apparent. On the trial, however, the judge stopped the case, and told the jury that on the evidence the prisoner could not be convicted as a principal, and accordingly Dawson was acquitted on this charge, but instead of releasing him, remanded

him for trial on another indictment, and refused bail in the case. Accordingly he was again tried at the Autumn Assizes, when other evidence being brought against him in addition to Bishop's, and perhaps through the indictment being laid under the 9 Geo. I., c. 22, a Statute commonly known as the Black Act, he was found guilty and sentenced to death, and was hung at Cambridge on August 8, 1812.

* * * *

It would appear as if at one time the races as held at Epsom and other places near the metropolis, were either not sufficiently near, or else "more sport" was the order of the day, for in the year 1817, the inhabitants of the parishes of Fulham and Hammersmith had concocted a scheme, raised subscriptions, and actually commenced operations for forming a race-course on Wormwood Scrubs. The races were to be held annually, and the preparations were so far perfected, that they were announced to commence on Wednesday August 20, when within a few days of the anticipated opening the whole concern was suddenly and imperiously put a stop to by the following communication:—

"SIR—I do hereby give you notice not to come upon or trespass, or commit any trespass in or upon a certain place called Wormholt Wood, otherwise Wormwood Scrubs, in the parish of Fulham, and county of Middlesex; and that in case you do so, after this notice, you will be considered a wilful trespasser, and

an action at law will be forthwith commenced against you for the same.

"(Signed) By the Solicitor, in behalf of the Deputy-Assistant Quarter-Master-General.*

"Dated, August 14, 1817."

* * * *

According to a sporting authority,† Epsom races had so fallen off in popularity in the year 1819 from the badness of the race-course and scanty accommodation afforded, that it was thought they would have to be given up at the death of Lord Derby. "How changed," says the editor in lamenting the circumstance, "from the days of O'Kelly and Eclipse." It would also appear that on settling day at Tattersall's for the Derby of that year, the number of levanters was unprecedented: there were all sorts of defaulters, some individuals sacrificing their honour for a paltry £10, and others doing the thing genteel and leaving their creditors in the lurch for as much as £10,000! We are told that several large losers did not show at all; others did, and stated they could not pay; many went and received all their winnings, and then made an immediate exit without paying any of their losses. There were others, however, who maintained the honour and integrity of the ring by paying all their losses although they received no winnings; but several would not pay because they did not or could not expect

* "Morning Herald," August 16, 1817.
† "Sporting Magazine" for 1819.

to receive anything. The ring at the time we speak of, must have had a few men possessed of plenty of "brass," for it is related that one sporting character of notoriety, who lost considerably over £13,000, actually went early into the room, collected the principal of his winnings amounting to upwards of £1,000, and—was not afterwards heard of!

But these would appear to be not the only unfortunate circumstances attending the races held at Epsom that year, for we are further informed that they were greatly attended by thieves and other bad characters. The races this year had the honour of being particularly patronised by the "Borough Gang," who committed unheard of depredations: one day Mr. Bolton was attacked by upwards of 30 men near the course, and as a matter of course, they relieved him of his gold watch. Another gentleman was also robbed near the same place, "but several of the jockeys being at hand, attacked the thieves, took the watches, and captured the principal, who soon afterwards underwent the ordeal of Turf law by being heartily ducked in a horse-pond some distance from the Downs." This is not the first time we have found the "jockeys" taking upon themselves the duties of members of the police force; we cannot account for it, but they always seem to have been the "first to the rescue" in such cases. The jockeys of those days were, however, heavy weights compared to the "feathers" of the present, and consequently stood a better chance of victory in a "scrimmage" than the 7st. bits of bone and muscle in our own times.

We have, however, wandered from our subject, and

must return to the good company we were in and their deeds, but have only to add that a gentleman who was looking at the race, had his pockets turned inside out; a constable seeing the act, seized the rogue, when he was surrounded by about 200 thieves who knocked him down, and kicked and beat him with sticks; another gentleman also lost his pocket book containing several bank notes, which, the thief being detected and seized, was recovered, but the purloiner got off scot free as the gentleman declined to prosecute.

* * * *

In illustration of the general appearance of Newmarket during race-time about 40 years ago, and as being somewhat contra-distinguished from the present in character, &c., the "Times" of April 5, 1825, in speaking of the Newmarket Craven meeting, says:—

"The racing season for 1825, commences to-morrow with the above great meeting; which, whether we consider the number and amount of the stakes, the celebrity of the horses and their riders, the length of its meeting, and its influence on the betting for the Epsom and Doncaster races, or the rank by which it is attended, is the most interesting and important in the kingdom, and, as usual, has attracted all the high sporting characters, &c., to this otherwise very insignificant town. The oldest inhabitants cannot call to memory a greater assemblage of nobility, gentry, &c., at so early a period prior to the meeting; not a bed is to be procured in the neighbourhood, and servants are pouring in every hour, for the purpose of engaging apartments for their masters; many of whom, we expect, will meet with sorry accommodation.

"His Royal Highness the Duke of York arrived at 5 o'clock, and was greeted with the hearty cheers of the visitors, and a merry peal from the bells."

The fashionable arrivals are then chronicled, after which we are informed that—

"Before 1 o'clock, the beauty of the weather drew together a great number of betting men before the rooms, from whence they shortly after moved to the Heath, agreeably to custom, where a gratifying sight presented itself in the exercise of the different horses entered for the various stakes of the week, most of whom bore their appointed riders. Most of the nobility above-mentioned were present, and the whole Heath resounded with the praise of the action and symmetry of Rufus, who is here as great a favourite as ever was known.

"In the evening the Jockey Club dinner was well attended. S. Wortly, Esq., M.P. in the chair. There were present Lords Lynedoch, Anson, &c., &c. At the dinner, the weights of the horses for the handicap were fixed, the stake itself having been made up before dinner, to enable trainers to put their horses on muzzle," &c.

These races which commenced on Monday, did not conclude until Friday in the week, on which day it appears—

"Christopher Wilson, Esq., the father,* was present each day, accompanied by his lady, and both appeared in excellent health and spirits. An instance of the benevolence of Mrs. Wilson, who is the Lady Bountiful of this part of the country, appeared during the run for the Newmarket Stakes. A poor man fell down in a fit by her carriage, near the Judge's Stand. She immediately rendered the necessary assistance, had him

* Of the Turf.

carried home, and has since called at his humble residence, furnishing him with everything necessary for the comfort of himself and family."

There is nothing very peculiar or striking in the foregoing circumstance—the same is merely given for the sake of recording a good action. And on the same day in which the above event occurred two matches were run—one between Ajax and Wildwood was "interesting," as betting men thought the former was a bad-tempered horse, and were doubtful of his running home kind. However, to their astonishment, master Ajax made all the running, and won cleverly, "his adversary all the time crying out 'Bellows to mend.'" The other match was between Ajax and Humbug, respecting which—

"The loser proved how properly he was christened, for he humbugged his backers. Ajax, rode by Robinson, won easy; Armull, rode by Humbug [*sic*].* So little was Ajax expected to win either of his matches † (being a very false horse), that when information was conveyed to Pettit's stables, the messenger was regaled with real cognac, and a plentiful supply of plum-pudding, provided as an addendum to the jockeys' supper. Ajax is in future to be called Hero."

These must have been reckoned bright days for the jockeys, for although plum-pudding is a dish which any one may reasonably aspire to, and jockeys as well as other persons might indulge in it at the *end* of the racing season, nevertheless the "plentiful supply"

* Of course the reverse is the meaning.

† And yet the betting as recorded was "6 and 7 to 4 on Ajax" in the first instance, and "7 to 4 and 2 to 1 on Ajax" in the second!

spoken of as provided for them, seems to indicate that if at the very opening of the year's sports full play was allowed in the gratification of their appetite for a dish, generally speaking, particularly tempting to the palate, there could not have been over-much regard paid to the "weights" carried in the racing contests.

The meeting of which we have been speaking was a thoroughly successful one in all respects, and we find it wound up on the last day with a practical joke:—

"A ludicrous trick was played off on the landlord of the Wellington this morning. A wag, for whom he had drawn many a cork, observing him absorbed in the business going on, extricated the lynch-pin of his buggy; so that when he applied his whip with an intention of moving to another part of the Heath, to have a better view of the running for the Newmarket Stakes, the wheels separated from the body of the chaise, and Boniface was upset, occasioning considerable mirth to the spectators."

* * * *

In the years 1824-25, a Qui Tam action was brought against the editor of the "Stockport Advertiser" to recover penalties amounting to £1,400 for publishing, contrary to the law, 14 advertisements of some races to be held in Cheshire. The substance of the case of Grimshaw *v.* Lomax will be fully gathered from an application made in the King's Bench on February 12, 1825, by Mr. Kelly, counsel for the defendant, for permission of the Court to compound the action on payment of one penalty of £100 and the costs. He

stated that the action was brought under a penal statute passed in the thirteenth year of George II.,* under which act all horse-races for prizes of a less amount than £50 were prohibited; and a penalty of £100 imposed upon all persons who should publish or advertise any notice of such races, and a penalty of £200 on any person running a horse. The defendant printed in his newspaper notices of the Cheadle and Bullocksmithy races in August and September of the previous year, but in doing so he was wholly unconscious of having offended against any existing law; and being actuated only by a wish to make public the fact of this sport being about to take place, and to promote the innocent diversions of the people, he never could have imagined that he was exposing himself to consequences which must not only be highly detrimental to himself, but must have ended in the total ruin of his family.

Mr. Chitty, who appeared on the part of the plaintiff, consented to defendant paying one penalty and the costs.

The Court therefore ordered, that leave be given to compound the action, the defendant to pay the one penalty of £100 and the costs agreed upon amounting to £43 17*s.* 6*d.*, within ten days next ensuing.

This action is the only one of the kind we find recorded, and the defendant, in his impression of March 4, complains, naturally enough, of the hardship of his case in being made to pay a large sum of money by the instrumentality of an *informer* for infringing an

* See pp. 72, 73.

obsolete Act of Parliament, the very existence of which he was not aware of. Here were advertisements sent to him in the common course of his every-day business, and for which, when published, he paid a Government duty for each. If, he says, the Act was necessary at the time it was passed, that necessity had long since ceased; but he advised his contemporaries, who were in like manner daily publishing similar advertisements, to become wise by his own loss. He returns to the attack again in his paper of April 1, and referring to the Act with which he had so unexpectedly and unpleasantly made acquaintance, said that the tendency of it was—

"To encourage the brutal sports instead of the more civilised, less injurious, and less debasing ones; to hinder the country labourer, the mechanic, the lower classes of tradesmen, from witnessing rational sports, whilst a Bull-bait, a Bear-bait, a Cock-fight, and all the minor brutal sports, may be exhibited, from the sight of which they shall return with minds degraded, full of rejoicing at cruelty, and from the influence of which, nothing but evil can result. The annual Festivities, which at the different Wakes or Feasts, in this part of the country take place, cannot be enlivened by a Pony Race; a few neighbours cannot subscribe each a sovereign, and raise a purse of £10, to afford amusement to the rustics whose only holiday throughout the year is at this time; for if they do this, every person whose horse shall run is liable to heavy penalties; every printer who shall furnish a bill of the sports may be ruined, and all this under the Act we now speak of."

We have given the unfortunate editor's remarks because they indicate public opinion at the time

they were penned, and we doubt if there were many who would differ with the views expressed. The 13 Geo. II. was a legislative blunder, and one soon perceived as instanced by its being partly repealed a few years afterwards. But why was not the obnoxious part relative to the penalty for publishing repealed also by the 18 Geo. II.?

* * * *

In the year 1835, the question of "to be, or not to be," with regard to the continued holding of Epsom Races was very seriously discussed. It may seem somewhat out of place to refer here to particulars in connexion with the dispute between the Lord of the Manor and other parties who had the management of the races at Epsom at the time we speak of, considering that so many details of the spot and the sport thereat are given in full elsewhere, but perhaps the circumstances to be recorded now are just as well placed as a separate incident, and chronicled apart from the other details.

The cause of dispute between Mr. Briscoe and the inhabitants of Epsom was one of manorial rights, and without entering into any lengthened details of the dispute, it may be said that Mr. Briscoe asserted his rights in the shape of an action tried at the Surrey Assizes, at which a verdict was given in his favour. A legal decision does not, however, always end a controversy at once, and it would seem that after Mr. Briscoe's rights were acknowledged by a Court of Justice, the cause of the inhabitants was advocated by a "Race Committee," appointed at a meeting of the former, held

on May 6, 1835, who, finding the law against them, endeavoured to weaken the effects of the verdict by entering into negociations with Mr. Briscoe for a compromise. The undertaking itself was simple, but to obtain the result desired was a matter of some difficulty, and no satisfactory conclusion or arrangement had been arrived at when the period for the annual celebration of the races came round in the year spoken of. This was the unsettled state of affairs between all parties on May 7, when another meeting of the inhabitants was held at which a statement of the Racing Committee was submitted, showing the proceedings taken by them "in resisting the action brought by Mr. Briscoe to prevent the erection of booths on Epsom Downs, and of the exertions made by the Committee subsequently to enter into an amicable arrangement with Mr. Briscoe; and having read the resolution passed by the Racing Committee on the 6th instant, declining to carry on the negociation with Mr. Briscoe any further," it was resolved that all the proceedings of the Committee were approved of by the meeting, and received "their best and most unqualified thanks;" and, almost as a consequence of such approval, "that this meeting disapproves of the manner in which Mr. Briscoe, during the recent negociation, has endeavoured to procure concessions unwarranted by the verdict, and which, if agreed to, would, in the opinion of this meeting, have destroyed not only the rights of the inhabitants, but also of the public to hold the races."

Now it is pretty evident that Mr. Briscoe was held up to public opinion as a man who would probably,

under the plea of personal rights, destroy the races altogether; and in face of the previous resolutions, it is not surprising that it was also resolved by the meeting "that the Racing Committee be requested to continue their exertions," and that "subscriptions be forthwith commenced for the purpose of protecting the public in the enjoyment of the races, with which Mr. Briscoe has hitherto stated that he did not mean to interfere, but which it now appears he is determined to do."

But we ought to state, in justice to the exertions of the "Racing Committee," that being unable to arrange terms with Mr. Briscoe, and with a praiseworthy object of holding the races somewhere in the neighbourhood if they were not permitted to have them on the old spot, they entered into negociations with the Lord of the Manor of Walton-on-the-hill, to have the races in future held on the Downs there.

In this dispute, and the controversy respecting it, we have as yet only had the representations of the "Racing Committee," and as in all such matters there are two sides to a question, it would appear, from respectable authority,* that the foregoing particulars of the negociation, as far, we take it, as regarded Mr. Briscoe's terms and intentions, were "from beginning to end a misrepresentation of the true facts of the case!" According to this account of the matter, Mr. Briscoe had, amongst other applications, one from the parties calling themselves the Epsom Racing Committee, to whom he eventually agreed to grant a lease, reserving to himself a small per centage upon the amount collected, so as to

* The "County Chronicle" for Essex, Surrey, &c., May 12, 1835.

preserve his right. A lease was accordingly prepared on these terms, but it limited the Committee in the amount to be charged for ground for booths, carriages, &c., in order to prevent a recurrence of such exorbitant demands as had been made on former occasions. This document, however, was so much cut up and changed by the Committee, that Mr. Briscoe found it impossible to agree to it after its revision, and so he informed the Committee, upon which they thought proper to abandon the contract, although Mr. Briscoe proposed that the bulk of the money should be appropriated for the benefit of the races, instead of going into his own pocket.

Thus, neither parties being able to come to an arrangement, the Lord of the Manor decided that he himself would let the collections on the Downs by *tender*, as they had been previously let by the Committee, and he made it known that so far from desiring to injure or put a stop to the races, he would give the principal portion of the money arising from the collections for booth rent, &c., for the benefit of the races. In fact, Mr. Briscoe determined upon appropriating to his own purpose out of the collections that year, no more than £5 to substantiate his manorial rights, and £100 to help defraying the extra expenses he had been put to in the previous trial.

But it appears the Racing Committee were not going to have the whole affair taken out of their hands in this assumptive manner, and we believe the next step taken by them was the issuing of printed placards in Epsom and the adjacent towns, in which Mr. Briscoe's real

"intentions" were stated to be inimical to the views of the inhabitants, and the very opposite of beneficial to the races. Meanwhile, the Derby day was fast approaching, and, to use a sporting metaphor, it was even betting that between the two rival interests or factions, the great National Festival of the year, which subsequently compelled the grave and potent legislative assemblage of the nation to recognize its weight and importance, would have been completely extinguished! And, after all, the threatened calamity or real difficulty of the matter did not consist, as far as we can make out, from either despotically asserted rights on one hand, or serious jealousy of any infringement of public privileges on the other, but simply because a Committee had been appointed who seemed determined to make a grievance of the question, and resolved to fight for their own terms to the very letter, rather than have no fight at all. We may be doing an injustice to the Committee we speak of, but the "County Chronicle" for Essex, &c., of May 19 that year describes the dispute to be one of a really *private strife* between the Committee there and the Lord of the Manor," rather than one in which any serious interests were affected one way or the other.

In this contention between parties, however, one thing apparently became evident to both—that if the avowed interest in the races themselves was in truth the object of either, one or the other must give way; the war must end, either in the defeat of one of the belligerents or else as a drawn battle. Whether this was a conclusion arrived at by the parties themselves,

or whether some kind mediator stepped in between both to reconcile matters, we know not, but the "County Chronicle" of May 26 informs us, that "the Racing Committee had at length acceded to Mr. Briscoe's terms," which were, as finally settled, a payment of £5 in acknowledgement of Mr. Briscoe's rights as Lord of the Manor, and £100 towards paying the extra costs he had been put to in the action, these sums to be paid out of the money collected for rents of booths, &c., all the remainder of such money to be appropriated to racing purposes. Thus, the way being smoothed for an arrangement, the details were easy enough. Mr. Briscoe vested full powers in one of the Committee to collect the rents, &c., and the races were to be in every respect conducted as they were before; the only reservation stipulated for on the Lord of the Manor's part was, that the interests of the proprietors of the Grand Stand should be protected, and that his own rights to the tolls of Epsom market, which he had relinquished in the year 1828, were to be recognised from henceforth.

* * * *

There were but two noteworthy events connected with the year 1836. The one was a speech of King William IV. at Egham Races, and to which we shall more particularly allude presently; and the other has reference to something said * at a dinner given by the same Sovereign to the members of the Jockey Club at St. James's Palace on the 9th of June. It would

* *Vide* "Literary Gazette" for June, 1836.

appear that at this dinner a good deal of sport in the shape of stakes, entries, &c., was arranged for the ensuing Ascot meeting, and that in the course of sporting conversation, Lord Westminster was boasting of his celebrated horse *Touchstone*, and offered to back him for a large sum against anything that could be named in the field. The King immediately caught at the offer with, "I accept the challenge, and will name to beat him *by a neck*." The wager was considered as concluded; and His Majesty, being called upon to name his favourite, amidst a roar of laughter, named—the Giraffe!

CHAPTER X.

The Hippodrome race-course at Bayswater.—Introduction of a printing press at Goodwood Races.—Bill introduced into House of Lords to repeal 13 Geo. II.

The year 1837 was one memorable in the annals of horse-racing, inasmuch that the pastime was introduced almost into the very heart of the metropolis, and the event deserves recording if only on account of its novelty, as being the first thing of the same kind ever attempted—we allude to the Hippodrome at Bayswater. The undertaking had been for some considerable time before the public previous to its being thrown open for horse-racing, and there is little doubt the arrangements would have been perfected long before they were, and the success of the enterprise itself far greater, had it not been for the strong spirit of opposition evinced from first to last by a few towards the whole concern. This opposition does not appear to have originated in any objection to the pastime itself, but was evidently a determined resolution on the part of a few tradesmen in the neighbourhood, and the parochial authorities of the parish of St. Mary Abbot's, Kensington, to render the undertaking abortive; and

this opposition, it is said, was backed up by the powerful support of a morning newspaper, which seldom lent its advocacy to any place for harmless amusement.

The projector of the Hippodrome was a Mr. John Whyte, who entered into the enterprise and carried it out with a spirit that deserved success. There was no secrecy about the affair, for in addition to the workmen employed about the grounds, the project was not only advertised, but it was adverted to from time to time by the newspaper press, and yet, at the eleventh hour only, was any serious action taken in the matter on the part of the opposition: it was anything but fair to let Mr. Whyte expend so much time and some thousands in money in completing an undertaking, which it was resolved at any cost, or by any means, should be frustrated in the end. Had the proceedings which were taken respecting the public right-of-way across the race-ground been instituted earlier, the opposition to the Hippodrome in this sense might have been looked upon and respected as solely an earnest wish on the part of the parish authorities to protect a public right; but acting in the manner they did, it looks very like as if they were in a great measure made a tool of for carrying out the factious views of a few parties in the immediate neighbourhood, who were bent upon opposing the undertaking, and at the same time annoying the projector.

The necessary works and arrangements of the Hippodrome had been so far completed, that an office was taken (we do not know the exact date when) at No. 3, Opera Arcade, Pall Mall, and it was announced to the

public that the long expected opening would take place on Saturday, June 3. We must, however, state, that within a short period previous to this date, several parochial discussions had taken place in the matter, and that just five days previous to the appointed opening day, or on Monday, May 29, Mr. John Whyte, of Brace Cottage, Notting Hill, proprietor of the Hippodrome race-course, was summoned before the Kensington Petty Sessions to answer an information preferred against him by the parochial surveyors, under the New Highway Act, for having "on the 4th instant, obstructed the passage of a certain footway, situate in the parish of St. Mary Abbot's, Kensington." Mr. Shea, a barrister, who attended on behalf of Mr. Whyte, in order to save the time of the Court, at once admitted the obstruction; but submitted, that as the question of right-of-way claimed by the parish was then pending in one of the Superior Courts, the Bench had no jurisdiction in the matter. Mr. Shea, moreover, took objection, on the part of his client, to any right whatever as claimed by the parish to the disputed path, and stated that it was Mr. Whyte's determination to abide only by the decision of the higher and more competent tribunal. The Bench, however, overruled the objection as to jurisdiction, and after hearing a number of witnesses, who swore in the most positive manner that the path in question had been a public one for upwards of fifty years, Mr. Whyte was ordered to pay a penalty of forty shillings and costs. It should, however, be stated, that previous to this decision of the Court, Mr. Shea had informed the magistrates, that if

a fine was inflicted, his client would submit quietly to the amount being taken, but would bring actions against every one who enforced it.

Of course the two parties were now in a state of open war with each other. Mr. Whyte was determined to open the Hippodrome, and the parish authorities were just as resolute in their opposition of allowing him to have his own way in the matter, for at a meeting of the Kensington Vestry on the opening morning, "held for the purpose of determining upon the course to be taken by the parish," it was resolved, "at the instigation of a parishioner, to appoint special constables, and to force a way into the inclosure."* It must, however, be understood, that Mr. Whyte had no objection to any individuals in particular entering his race-course grounds, providing they all went in and *paid* at the entrance gate; but it was just this the *parish* demurred to: not that the tolls levied were considered too high or at all exhorbitant in their nature, nor any clamour made about half price, but the ratepayers insisted upon their being allowed an entrance *gratis!* It must not be supposed either, that we mean to insinuate for a moment that the parish, or the ratepayers belonging to it who were mixed up in the dispute, were so parsimonious in principle as to make use of the question of "public" right for the sole purpose of economy in personal expenditure, but we have put the case as it stands, because the whole dispute and after proceedings will be probably better understood. Accordingly, in this direct opposition of ideas and

* "The Courier," June 5, 1837.

intention, the place was opened to the public by Mr. Whyte, and we learn that the parish asserted their privilege or right to a free admission by having "a large body provided with shovels, spades, and pickaxes to attack the fences; but their labours were anticipated, for Mr. Whyte having received a previous intimation of the course intended to be pursued, rather than allow a riot to interfere with the enjoyment of the day, directed an opening to be made in the fence at the disputed point; and this was completed before the asserters of the parish rights arrived."*

Generally speaking, in disputed cases between two parties, and where both are resolved upon maintaining their own particular will in the matter, that when the crisis is reached, or that point in the controversy is arrived at which *must decide* the question one way or the other, it seldom falls to the lot or happiness of both parties to come off victorious in the struggle; but in the dispute in question such was the case, for a time at least, as the Hippodrome *was* opened despite the opposition offered, and that portion of the ratepayers of the parish of St. Mary Abbot's, Kensington, who lent additional interest to the opening ceremonial by their presence, *did* obtain a free admission. But it may be as well to give an account of the opening of this Metropolitan race-course as chronicled in the "Sunday Times" of June 4, 1837:—

"Despite opposition of all sorts—despite of claimants of right of way, and every other obstruction—the Hippodrome

* "The Courier," June 5, 1837.

was opened. Its huge circumference being duly encircled by very high wooden palings, at least seven feet in altitude, and guarded internally by iron hoopings; but all this availed not against the gigantic efforts of the Kensington right-of-way-ers —down went bolt and barrier, prostrated were hoops and hoarding, the claimants fairly made their way over the course, the proprietor finding it impolitic to oppose such a demonstration of public feeling, consented to the 'way' remaining open, and some thousands thus obtained gratuitous admission.

"There certainly was a call upon the inhabitants of the metropolis to show what they were made of, to which they unanimously responded, every vehicle that coach, cab, or cart-builder ever constructed or imagined, was *en route* soon after mid-day: Oxford Road looked like Sutton on the Derby day; every order of man, woman, and child, vehicle and quadruped showed. We must, on such an occasion, be allowed to break away from the common course of description, and dash into the invocation we can imagine the projectors having vociferated.

"Success to the public-spirited individual who first proposed bringing Epsom nearer town, transferring Doncaster to Bayswater, and carrying the heretofore afar off scenes home to our very hearths. Come ye dwellers of the west—come from the squares of Belgrave and Berkeley; come from May Fair and Marylebone, from Pall Mall and Piccadilly; come ye also, of a far different grade—come from Petticoat Lane and the purlieus of Hounsditch; come, ye thousands, from the hundreds of Drury; come from the counting-house in Cornhill, from the filacers in Fig-tree Court; come all, of every sort, either 'on the ten-toed machine that the hay-makers use in Ireland,' or across anything that by the utmost stretch of invention may possibly pass for an equestrian quadruped; but prose is inadequate upon such a theme, Sir Walter must bear the burden of a parody:—

"Come ov'ry bright bay,
And gay lad that rides it ;
Come ov'ry Cit's 'shay,'
And 'ould one' that guides it.
All sorts of lads come,
Come Saint and Scorner ;
Come as the prads come,
Round Tattenham Corner.
Faster come, faster come,
Faster and faster ;
Peer, peasant, duke, and 'do,'
Jockey and Master.

"Come Jew, Gentile, Christian, Cosmopolite, Quaker, *quid-nunc*, poet, player, banker, broker, come away ; establish by your respective presences not a *rus in urbe*, but a 'companion' for it—a race-course in town."

This description is certainly a somewhat remarkable one in its spirited style of composition, but the newspaper press, almost without exception, not only favoured the undertaking, but praised it as having been completed at great expense and with good judgment. It is said the site was admirably chosen. The grounds contained a steeple-chase course and a race-course, each two miles in length, as also a good exercise ground ; and a large hill in the centre enabled the spectators, by their describing a smaller circle, to see the horses from the start to the finish. The ground was finely turfed ; and the view from the hill so beautiful, that it alone was sufficient to draw people to the spot. On the first day of its opening, a great number

of the new policemen* were stationed in the grounds to prevent danger or disturbance. The place, too, was highly patronised, for the Stewards of the Races were the Earl of Chesterfield and Count D'Orsay; and the list of fashionables present was very large, and included the Duke of Brunswick, Duke of Grafton, Duke of Beaufort, &c., &c., and about 20,000 people, including from two to three thousand horsemen. The sport, on June 3, commenced between 2 and 3 o'clock, and did not terminate until half past 6; but this length of time was not taken up by the number of races run, for there were but three prizes altogether. One was a Plate of £100, given by the proprietor, heats, 2 miles, which Mr. Wickham's *Pincher* won; the second race was for a Plate of £50, for steeple-chasers, to which was added a sweepstakes of 10 sovereigns each, 5 subscribers, heats, 2 miles, which was won by the celebrated *Lottery*; and the third, or only other Plate, of £100, did not fill, owing to scarcity of horses.

When the Hippodrome was first opened, it would appear as if the sport provided was the very reverse of liberal in quantity, or good in quality. The first day's racing may be taken as an instance; and in the programme of a subsequent day's sport, there was nothing higher than a £50 plate offered for competition. Such poor prizes it was not to be expected would tempt any owner to enter good horses for. Referring to the sport there on June 19, 1837, the "Sunday Times" of the 25th said it was a mockery to call the things got up on

* The new Police Force first commenced duty, September 29, 1829.

Monday, races, and an insult to the noblest of all domestic animals to call the mass of the "critters" that started, horses. In speaking of the running, the writer says, the "affair" commenced with a certain race as described, after which he continues, "and a number of quadrupeds which, with that stretch of fancy that complaisance demands, we must, we presume, call horses. Save *Hokey Pokey*, there was nothing that could climb, or hobble, much more leap over a hedge, and as to a hurdle, it was absurd to attempt one. Mr. Jackson's horse was post entered, and why? Had he been in the list it could not have filled at all, as the proprietors of the animated dog's meat to which we have alluded, knew that *Cinderella*—or, in fact, any one of Mr. Jackson's horses—could give them a distance, and 2 out of the 4 hurdles, and win."

These strong and sarcastic editorial comments had the desired effect. Mr. Whyte was sensible enough to take the remarks made in good part, and at once addressed a letter to the Editor, in which he stated that the complaint originated from the fact of his race-course and grounds being then entirely new, as well as untried by owners, and that at first it could not be expected that owners would deviate from previous fixed circuits or engagements for their horses. All this was reasonable enough; and what was more, Mr. Whyte did not fail to profit from the advice good naturedly offered, for there was a decided improvement in the sport as afterwards provided.

We have seen that the Hippodrome was a success in more respects than one—it was carried out with spirit

and completed with judgment; and if numbers and distinguished patronage are any proof of its having been likely to turn out a remunerative speculation, there was every prospect of its also being successful in this respect. But here we must pull up. Had the whole mass attending these races been wholly composed of the respectable and decorous class of visitors who went there as they would go to any other race-meeting, simply to witness and enjoy the pleasure of a harmless amusement, there is no doubt the proprietor of the Hippodrome would have met with a pecuniary reward which his spirit of enterprise deserved, and the entire affair would have been a decided success; but unfortunately all its triumphs were marred to a certain extent by the opposition it met with. But more particularly and effectually was its doom sealed by the riff-raff brought into play by this opposition, and, apparently, encouraged to mix with, and taint with blackguardism the whole of a collective body that would otherwise have been considered respectable both in character and behaviour. Taking a broad view of society in general, one of its lamentable truths is, that we must have the bad section of it along with the good; but an existing evil is often increased because the vicious propensities of the former, or a portion of them, are sought out and made use of to further personal objects. Possibly, Mr. Whyte's opponents may not have contemplated the causing such serious mischiefs, but it is far easier to command and control a large disciplined army, than a small and unruly mob; and certain it is, that the notorious and violent proceedings taken against him

deterred not a few from going at all, and disgusted many others who were there. That our conclusions are well founded, at least with respect to the mischief made, will be evident from the following extract from the "Sunday Times" of June 25: the observations are those of a contemporary, but are fully endorsed by the authority from which we quote:—

"A more filthy or disgusting crew than that which entered, we have seldom had the misfortune to encounter. It would be well enough if they would confine themselves to the narrow track, beyond which even their champion, the barber, does not pretend they have a right; but relying upon their numbers, they spread over the whole of the ground, defiling the atmosphere as they go, and carrying into the neighbourhood of the Stands and carriages, where the ladies are most assembled, a coarseness and obscenity of language as repulsive to every feeling of manhood as to every sense of common delicacy."

The strong and persevering spirit of opposition displayed against the Hippodrome, and the annoyance of which we have just spoken, to which its visitors were continually subjected, proved too much in the end for its proprietor, who was necessitated to close the place, for a time at least. Nothing daunted, however, by his previous ill luck, he had the grounds remodelled on a plan which left out that portion of the land in dispute; and although the doing so limited his area of operations, the new race-course was still a very good one, and in one respect superior to the old, by reason that in the remodelling the starting-post and winning-post

was at one point, thus enabling the spectators to see the most interesting parts of every race. The new grounds were opened in 1841, with a liberal programme of sport for that and the succeeding year; and gaining wisdom by past experience, he took care to have the entire grounds surrounded by a close and high paling, thereby preventing the swarming in of a low mob whose proceedings would scare away the respectable portion of his patrons, and also securing himself from a pecuniary loss by their effecting an entrance by any other means than through the pay-gate.

The terms were for annual subscribers, a gentleman on horseback, and groom, on all days, with privilege for two ladies of his family, and entrance for one four-wheeled carriage, five guineas; entrance on public days, a four-wheeled carriage, five shillings, a two-wheeled carriage, three shillings; person on horseback, two shillings and sixpence, on foot, one shilling. The entrance fee on all days but public ones, ranged from a four-wheeled carriage, two shillings, down to threepence for a person on foot. The terms for use of the race-course, and use of course for race on private days was three guineas, for a match, two guineas; for the steeple chase course for a race on private days, three guineas, and for a match, two guineas. The terms for a race-horse in training using the exercise ground was three shillings per week, or more or less as agreed upon; and the payment of two shillings and sixpence obtaining permission to try a horse for any purpose. These were the chief terms, subject, however, to a few rules and regulations.

The new grounds opened in May, 1841, when there was a Bayswater Plate of £50, a Sweepstakes of 10 Sovs. each (6 Subscribers), with £100 added by the proprietor; the Hyde Park Derby Stakes of 25 Sovs. each (18 Subscribers), with £200 added by the proprietor; the Notting Hill Stakes of 5 Sovs. each (10 Subscribers), with £50 added by the proprietor; the Kensington Plate of £50; the Notting Barnes Handicap of 10 Sovs. each (6 Subscribers), with £100 given by the proprietor; the Hyde Park Oak Stakes of 15 Sovs. each (7 Subscribers), with £100 given by the proprietor; and a Sweepstakes of 5 Sovs. each (7 Subscribers), to which £50 was added by the proprietor.

This amount of sport was spread over two days' racing, and it will be noticed there was a vast improvement in the prizes offered over those given in the year 1837; besides, a far better class of horses went to the post on this occasion, and they were, moreover, ridden by some of the first jockeys of the day. In addition to the two days' racing spoken of, there were also races at the Hippodrome in the month of June, same year, but we have not come across the returns of any sport there subsequent to this date, and are unable to say how long they were continued until the place finally closed.

* * * *

A noteworthy occurrence of the year we have been speaking of, was the introduction at Goodwood Races of a printing press, with cases of letters and all the requisites complete, attended by four typographers,

who, as the several races were run for, received the official results and printed the lists of the sport. This novelty, it is said, originated with the late Lord G. Bentinck, who obtained his materials and men from the neighbouring town of Chichester, and the lists thus printed off were found to be of great advantage by some hundreds of those on the course. We believe it was also the same nobleman to whom the public was indebted for making it a rule that the horses should be mounted and paraded in front of the grand stand just previous to the start for each race; and although the circumstance is simple enough in itself, yet the deed was a significantly marked one as regarded the attention paid to the masses, and who are ever ready to appreciate any such act of courtesy and good feeling displayed towards them on the part of those who have the power and inclination to perform such.

* * * *

On March 3, 1840, the Duke of Richmond moved in the House of Lords the first reading of a Bill for the repeal of the 13 Geo. II. His lordship said the Act was scarcely known to have been in existence until some clever solicitor ferreted it out, and served notice of actions upon six gentlemen under its provisions. The Act had clearly fallen in desuetude, and it could only be made use of to extort money from persons who were ignorant of such a law existing. The Act which he wished to repeal, prohibited any person from running more than one horse in a race, or from running any horse otherwise than in his own

name (see p. 72). Now the Act never had been, nor could be, carried into effect, because if a person bought a horse under an engagement, it must run under that engagement, as a matter of course; but if it did so, under the Act, the horse became forfeited, and the owner liable to a penalty. In introducing the Bill, he had adopted the precedents afforded by one brought into Parliament by Sir W. Follett some time ago, and another, introduced the previous year, by the Attorney-General—the one relating to pluralities, the other concerning newspapers—so that in the case of actions already instituted, the party might get his costs, but not recover the penalties.

This Bill was brought from the Lords, ordered to be printed, and read a first time by the Commons March 9, and was passed as the 3rd Victoria, for which see page 87.

CHAPTER XI.

The Qui Tam Actions of 1843-44.

TOWARDS the close of the year 1843, the sporting world was startled by being made acquainted with the fact, that any and all of those who made a bet upon a horse-race, were liable to be sued for an infraction of the law, and mulcted in heavy penalties for winning any sum of money above £10. The information was anything but pleasant to those affected by it, and, moreover, was not made known by means of a new Act of Parliament, or authoritative official announcement that betting had increased to such a pitch, and become so great a vice, that for the welfare of the morals of her Majesty's subjects, it was found necessary to put in force some old and forgotten Statutes which should make such an example of the evil doers that there would be no more offences of the same kind. No one person, at the time this alarming piece of news first became public, had knowingly or more particularly set the law at defiance than it had been infracted —and almost innocently so—for about a century past.

The reason why this thunderbolt was launched with such force, and applied with such heavy effect against the pockets of some of the leading men on the Turf, had a very different motive; and the provisions of an old and generally considered obsolete law or Statute, which, as a matter of wisdom and good sense, had never been put in force because the habits of the age had completely changed the ideas and principles upon which it had been constructed, were first put into motion for no other reason apparently than vindictive individual gratification. The "majesty of the law" considered it *wise* and *prudent* to let what could at any moment be made active in its operations slumber on in inanition for reasons as already stated, but the revengeful nature of a few individuals—as it was generally supposed at the time the events to which we allude took place—put the obsolete enactments into full activity by means of one of those peculiar suits most generally said to be instituted by the *common informer*, and which in the cases of which we speak were known as the *Qui Tam* actions.

Before entering into further particulars respecting these actions which made such a noise at the time, and engaged the after attention of the Legislature for some months, it may afford a clue to the real motives of those who set the law in motion, if we state that in the year 1843, it was found necessary by some of those who held a leading position on the Turf, to take strong and effectual measures for the checking various and many dishonourable actions which had been pretty frequent some little time previous to that in which

the words Qui Tam became both popular and unpopular. A praiseworthy effort appears to have been made for "barring out" of the betting circle all those who, from want of principle and honour in their business transactions, had certainly no right in it; and in order to accomplish this object, a decided step was taken by the Duke of Richmond at the Goodwood Races of 1843, where, on the first day of the meeting, that nobleman's solicitor served personal notice on a particular individual not to trespass upon any part of the property of his Grace * on pain of prosecution, for this gentleman it seems had rendered himself entitled to be thus specially distinguished by reason of some proceedings on his own part, and which, however suited to his own views and interests, did not meet with general approbation. This was the "order" of the day for 1843, but the wound was to be probed yet deeper for the purpose of effecting a more thorough cure, and very stringent regulations "with reference to future years" were made public by direction of the appointed stewards of Goodwood Races for the year 1844, and it was accordingly stated on behalf of the Duke of Richmond, that no defaulter in respect to stakes, forfeits, or bets, would be admitted into the Grand Stand or its enclosure, and that no person in arrear of stakes or forfeits, after due application for the same, would be permitted to name, enter, or run, either in his own name or in that of any other person, any horse of which he was wholly or in part owner; and in addition, these regulations were en-

* The race-grounds, &c., are the property of the Duke of Richmond.

deavoured to be made thoroughly effective by precautions also taken to prevent their evasion.

Now it may be, that after all, the motives as ascribed, and which it was generally said at the time actuated the bringing of the Qui Tam actions, were not the real ones; but let what may have been the cause of certain penalties being sued for, the *fact* itself was patent to the world, and in bringing the event itself into notice here, we are doing little more than chronicling past actions, and recording public opinion respecting them. Of course we have neither object nor wish to cast odium or bring into disrepute the name of any party who may have been mixed up with the Qui Tam actions, but it certainly did not appear that the object sought on the part of those who instigated the bringing of them was the suppression of what was considered to be an evil, or arose from a feeling that the rigorous steps about to be taken were absolutely necessary for the benefit of society. Had the Qui Tam informations been laid at the instigation of the Archbishop of Canterbury or the Bishop of London, the motive would have been at once understood: in such a case, the action might have sprung from principle, or even been carried into effect from strict ideas, but any such notion could scarcely be entertained in the actual circumstances of the case. It may be that in the severe regulations adopted for weeding out dishonourable characters from the Turf, some partial injustice was done to one or more which created irritation of temper and led to spiteful proceedings; but it is certain that the measures themselves that were taken were necessary, and ultimately led to

results that, "by the exclusion of levanters from betting rooms, race-courses, &c., which have already achieved such mighty good, maddened the Qui Tam gentry, and goaded them to the present wild capers of a bull in a China shop."*

The particular events which we are discussing will be more thoroughly understood by our explaining the nature of a Qui Tam action. This form of action is likewise known by the name of *action-popular*, or those which arise from the breach of some penal statute which *every man* hath a right to sue for himself and the King, by information, &c., and it derives this name, because the action is not given to one especially, but generally to any that will prosecute. This form of action is also called by the name of Qui Tam from the words used in the process—qui tam pro domino rege sequitur quam pro se ipso: who sues *as well* for the King as for himself.

Coming to particulars respecting the several actions which were brought, and the parties immediately interested, we find from a return ordered by the House of Commons of the number of writs issued out of the Court of Exchequer between July 1 and December 31, 1843, that 34 in all were taken out. All these writs of summons were issued by Mr. J. T. Russell, an attorney, and the respective parties named in these 34 writs were as follows:—One of the writs was at the suit of J. T. Russell, plaintiff, against the Earl of Eglintoun, defendant; 3 were taken out by John Lewis, plaintiff, against respectively A. H. Bailey, W. H. Gre-

* "Era," February 25, 1844.

gory, and Henry Hill, defendants; but the lion's share of this sporting entertainment was decidedly provided by Charles Henry Russell, as all the remaining 30 writs were issued at his suit, as plaintiff, against the following several defendants: 6 writs against Lord George Bentinck, 1 against George Anson, 2 against Henry Hill, 1 against the Earl of Eglintoun, 6 against John Bowes, 1 against John Gully, 1 against Peter Cloves, 1 against Henry Justice, 4 against W. Crockford, 1 against W. H. Gregory, 1 against John Greatorex, 1 against John Bayley, 2 against Jonathan Peel, and 2 against Charles Greville. The astonishment of the several defendants must have been great when they were first served with the legal notices, to understand in what manner they had become all at once so thoroughly identified with the parties calling themselves plaintiffs; when they did ascertain the real nature and object of the action, they would be puzzled in comprehending that any honourable man, after losing a wager, would take such means to recover his money back again, and slow of belief that any existing law could give third, or disinterested parties, such serious powers of annoyance in transactions with which they had nothing whatever to do; and they must have been perfectly astounded when the enormous amounts with which they had been legally debited and called upon to pay were ascertained. The 9 Anne, cap. 14, on which the actions were based, provided that any amount lost and won by betting could be sued for and recovered back, together with *treble the value* of the amount so won, so that the penalty would be something consider-

able even where the wager itself was small; and with regard to the actions actually brought, it was stated in the House of Lords by Lord Brougham,* that the penalties sought to be recovered as represented by the 34 writs issued, amounted to nearly half a million of money: one nobleman was sued for £68,000, another for £102,000 and a Member of Parliament for £120,000! Truly, the return ordered by the House of Commons, and to which we have just previously alluded, was very appropriately headed "Vexatious suits."

For reasons which will presently be apparent, we believe that no more than one of those Qui Tam actions was tried, and this was the case of Russell *v.* Lord G. Bentinck, decided at the Guilford Assizes on Thursday, August 8, 1844. The exact nature of this peculiar form of action will be seen from an outline of the declaration in the case, which set forth, that on May 31, 1843, one John Day did, by betting on a horse-race, contrary to the law, lose the sum of £3,000 to the defendant, and that the said sum of £3,000 was paid by the said John Day to the said defendant, and that he did not, within a period of three months, sue the said defendant for recovery of the amount which he had so lost, and therefore that the plaintiff was entitled to sue for and recover of and from the said defendant, the said sum of £3,000 so won and paid, and treble the value thereof, making together the sum of £12,000. The declaration also contained another count relative to Henry Hill† for £3,000 also betted, and lost, and paid

* On February 8, 1844.

† Hill was a betting agent occasionally employed by Lord G. Bentinck.

to the defendant. The plaintiff, however, lost his case from failing to prove that the defendant made the bet with John Day, or with the party from whom the bet was taken as his (John Day's) agent: the witness in the case, Gully, stating that he took the bet on his own account.

But some months previous to this action being tried, indeed almost immediately upon the opening and first assembling of Parliament after it became known that penalties were being sued for, effective steps were taken to balk the Qui Tam gentry of being so successful in their unpopular proceedings. The very nature of the actions set public opinion strongly against them, for there are very few Englishmen who can tolerate persecution of any sort, and it becomes absolutely repugnant to the feelings when the prosecution is said to be the act of a common informer.

Accordingly, on February 1, 1844, an Act for repealing penalties on horse-racing, called, we believe, the "Manly Sports' Bill," was introduced, and read a first time, by the Duke of Richmond. It was an Act to repeal an Act passed in the ninth year of the reign of Queen Anne, entitled "An Act for the better preventing excessive and deceitful gaming;" and also to repeal certain provisions of an Act passed in the sixteenth year of the reign of Charles II., entitled "An Act against deceitful, disorderly, and excessive gaming;" and also to repeal certain provisions of an Act passed in the eighteenth year of the reign of George II., entitled "An Act to explain, amend, and make more effectual the laws in being, to prevent excessive and

deceitful gaming, and to restrain and prevent the excessive Increase of Horse-Races." The object of this Bill was the repealing the three Acts quoted, so far as the same or their provisions related, or extended to, or included the sports mentioned in a schedule thereto annexed—and which were the same sports as those scheduled in 7 and 8 Victoria, at page 90, with the exception of Foot-ball—and so far as the same should extend to any person winning or losing *fairly* any sum of money by playing or betting thereon, but not where such sums of money were won or lost by *unfair* means.

On the 5th of February, the *Duke of Richmond* moved the second reading of his Bill, and stated that his object was to destroy fraudulent betting, and considerably restrict betting generally. In a debate that followed, *Lord Brougham* was of opinion that it would be better if all the statutes relating to Betting and Gaming were referred to a select committee. *Lord Campbell* agreed with the Duke of Richmond that all manly sports should be encouraged, but could not go so far as to make all bets lawful contracts, and capable of being enforced in a court of law: if betting was to be allowed at such recreations, they ought to be considered debts of honour. The *Duke of Richmond* replied, that as the law then stood, bets were debts of honour; but, said his lordship, men made bets who had no honour, and what was to be done with them? The Qui Tam actions were the result of this want of principle. The then existing law was absurd and contradictory, for as the case stood, a bet of £100,000 might be made upon a pigeon or other match, and recovered in a court of

law, but if he bet upon a race-horse it would not be recoverable, although again, if the race-horse ran for nothing, the bet could be recovered.

The result of this debate was, that the subject was referred to a select committee of both Houses of Parliament, and an extract from the reports of each have already been given at page 11. It has also been shown (see pp. 89, 90) that two Acts were passed to stay proceedings in the Qui Tam actions for a certain period, that is to say, during the time that the two Committees were taking evidence relative to the whole question at issue; and that before the time, or period as extended, had expired, that the law respecting horse-racing, and betting thereon, was amended by the 8 and 9 Victoria, which abolished all penalties for betting, and also provided that any person against whom any Qui Tam action had been brought before the passing of this Act, that such person would be discharged from liability as to any such penalty by applying to the Court in which such action was brought, or to a judge of any of the Superior Courts at Westminster, for an order that such action should be discontinued, and that upon such application, and the payment of costs incurred in the action, such action should be discontinued. We may also state, that the "Witnesses' Indemnity Bill" was passed through both Houses for the purpose of aiding the Committees in receiving evidence upon the subject of horse-racing and gaming generally; and that the object of this Bill was to enable persons to give evidence who had been engaged in gaming transactions, and to indemnify them from any

consequences of such testimony by their giving full and true evidence.

Thus, it will be seen, the Qui Tam gentry failed in their spiteful proceedings, and any such future actions were settled for ever and aye by the 8 and 9 Victoria, which, by abolishing penalties, completely deprived the informer of his occupation. If, however, the actions we are speaking of caused great annoyance and no inconsiderable expense to some thirty or forty of the gentlemen on the Turf, it did great good in other respects, for the subject became so thoroughly sifted and laid bare in all its ramifications, that the institution itself became at once placed upon a far sounder basis in a legal point of view, and the entire body of its members were greatly purified in consequence of the exposition of previous evils, and the more clear and patent rights and obligations of all in their several relations towards each other. After all, that which may have been considered a serious evil to befal the Turf at the time it did, proved its greatest blessing in the end. At no period, either previous or since, to the time of which we speak, was the Turf in such a thoroughly corrupt and rotten state; and had the examination and remodelling of the institution taken place at any other time than what it did, the chances are the benefits derived would not have been so great, by reason that the misdeeds of the past had not caused such a searching inquiry, but occurring in a year notorious for Turf frauds, there was no shirking a complete investigation. What other year than 1844 can boast of *two* four-year olds being entered and run for a three-

year old stakes, as was done in the case of *Leander* and *Running Rein* for the Derby? Both horses started under protest, the former of which was unsuccessful, and, from an accident in the race, killed, and buried almost immediately after, yet, although his lower *jaw* was purloined, sufficient of the animal was found on his exhumation to tell his age; and the second did win the great prize, but the fraud was discovered early enough to prevent the stakes going into the pockets of its owner, although an action at law was absolutely necessary to hinder the deceit used being successful in this respect. Then, again, there was the withdrawal of Faugh-a-ballah, a horse pretty heavily backed for the same race, and an animal that, from subsequent performances, could, had he started, have beaten anything in the race, and yet an excuse (if there was a valid one) for the withdrawal was hardly considered necessary on the part of the owner towards the public. "A few more such Derby exhibitions," said the Editor of "The Sunday Times," in speaking of the Derby incidents of that year, "and farewell to horse-racing for ever." And lastly, there was the affair of the Ratan and Sam. Rogers, which, however, from circumstances connected with the case, deserve recording at greater length.

Mr. Crockford's *Ratan* was one of the Derby horses for 1844, for which race he was strongly supported by the owner and heavily backed by the public. Some little time previous to the Derby day, however, it was evident from *market operations* in Manchester, Liverpool, &c., as well as in London, that there were parties

in the ring who were laying immense sums of money *against* the horse winning. It got rumoured that the horse was certainly made safe as far as regards *not* winning, and the owner himself on one particular occasion finding an intimate friend laying against Ratan who had previously backed it, asked this friend in consequence, if he knew anything wrong about his horse, to which he received as a reply, that the horse was as "safe as if he were boiled,"* and that Sam. Rogers, who was engaged to and did ride the horse for the Derby, was in the plot to prevent Ratan's winning. The long and the short of the matter was, the jockey was taxed by Lord G. Bentinck with secretly betting *against* the horse which *he was going to ride to win*, and Rogers, it is said, confessed such was the case. However, to explain why he *did* ride the horse after this *exposé*, it appears he promised to do his best to win the race, and he was allowed to do so, and the knowledge of what had transpired about the secret kept close, in order that the guilty parties should have the tables turned upon themselves, and let in the hole by means of their own roguery. There is no doubt but that the jockey repented of his foolishness, and did his best to assist Ratan winning, but it was said that something had been done *to the horse* to prevent its winning, as was evident from the appearance of the animal when brought out to run for the race. But there is no use in entering into further particulars relative to this part of the affair, except to say, in justice to the jockey, that in the evidence taken before the Jockey Club upon this

* "Sunday Times," October 20, 1844.

subject, it was stated that it was never intended the horse should be ridden not to win, or made safe in this respect, and that Rogers himself stated (after he came out of the room where the inquiry was conducted) that he only did what other jockeys had done, viz., betted against the horse when he did not think him likely to win.

What we particularly wish to draw attention to in this case is, that the inquiry made by the Jockey Club in investigating the transaction was a *secret* one! It seems almost hard of belief that an inquiry which so materially affected the public should have been conducted with closed doors, but such was the fact. Why the Jockey Club should have adopted this course seems quite unexplainable, but in such cases it does appear curious that a Court of Honour should have anything to hide from the public. From the very nature of its formation and calling it would be supposed that the members of the Jockey Club would court publicity rather than persistently refuse it, but, in the case we speak of, an emphatic denial of admission to the proceedings made by the Editor of "The Sunday Times" to have a reporter present was given :—

"*To the Right Hon. the Stewards of the Jockey Club.*

"October 14, 1844.

"My Lords—Understanding that it is your lordships' intention to inquire into the truth of certain charges made respecting the treatment which the late Mr. Crockford's horse Ratan experienced prior to his race for the last Derby, I have to call your lordships'

attention to the fact that the public will anxiously look for a correct report of the evidence given before you. I therefore respectfully request your lordships will allow a reporter from 'The Sunday Times' to attend the investigation. Waiting your lordships' reply,

"I have the honour to be, &c.,

(Signed) "JOHN K. CHAPMAN."

"October 14, 1844.

"SIR—I am requested by the Stewards of the Jockey Club to acquaint you, in reply to your letter, that it is not intended to admit any reporters for the public press during the investigation into the Ratan affair, and that they are, therefore, unable to comply with your request.

"I am, Sir, &c.,

(Signed) "C. WEATHERBY.

"J. K. Chapman, Esq."

Now, if the Jockey Club wished to have reflections cast upon their body, they could not have taken more efficacious means to have their honourable character impugned, or their actions and intentions stigmatised, than in thus excluding the public press. We cannot fathom a reason for their doing so, and the policy of such a course is certainly not one of wisdom. The Jockey Club lower their own dignity of position and weight as the head of the racing community when they decide upon such a course of conduct. Public respect for its members as a body soon evaporates when the people find their interests and wishes totally disre-

garded; and when, as in the case spoken of, they are virtually excluded from all participation in and knowledge of an inquiry which so greatly affects their own interests, they not only begin to look with contempt upon a body they had hitherto looked upon as the head and fount of unreserved honour and fair dealing, but, not unnaturally, begin to suspect those who were previously beyond suspicion.

The subject is, in truth, one to be looked upon seriously; for horse-racing as a national sport will never exist in a sound and healthy state, as long as there is a want of confidence on the part of the people in those whom they have tacitly accepted as the head guardians of the pastime, and to whom they look for its preservation. Why! even the House of Commons, in its individual and collective capacity, holds its position upon trust, and acknowledges a responsibility to the people for its actions! Why, then, should the Jockey Club even wish to be singular in this respect?

CHAPTER XII.

State of the Turf in 1844.—Thanks of the Jockey Club given to the Duke of Richmond and Viscount Palmerston for services rendered in revising the laws relating to horse-racing.—The Pasha of Egypt's challenge to run his Arab horses against English race-horses.—Anti-race meeting at Doncaster in 1850.

We concluded the last chapter with some remarks upon the attitude of the Jockey Club towards the public, in dealing judicially with subjects which long custom had settled to belong of right to it; and although upon many occasions this body has been loth in its own actions to act in a manner becoming its proper position in dealing with a public question, nevertheless it has always been ready to gracefully acknowledge services rendered by others in the best interests of the sport.

Allusion has been made to the disreputable position in which the Turf stood from the proceedings connected with the year 1844—a year unparalleled for dishonourable practices upon the Turf—although perhaps the public mind was not so much shocked at these occurrences when they happened, on account of the ice having been already broken by the Bloomsbury affair of 1839.

The Turf, then, for the reasons stated—and, it may be added, the immense sums of money invested by the public on the different races of the year by means of "sweeps," which sprung up as thick as mushrooms between the two dates spoken of, in almost every town in England—had become sufficiently notorious, and attained a particularly wide notoriety in 1844, to render it necessary that some decided step should be taken for its thorough purification. We say some such measure was necessary, but it is a question if any effectual action would have been taken in the matter after all, if it had not been for the bringing of the Qui Tam actions. These actions, however, directly affected the pockets of some of the principal Turf personages, and, as a consequence, that which probably no real regard for the pastime alone would have prompted, was accomplished through self-interest. The attention of the Legislature was at once called to the subject for the purpose of crushing the Qui Tam gentry, and escaping from the penalties sought to be recovered by them; but the subject, once opened up, took a far wider range, and the result was a thorough investigation by two Committees, one of the upper, and one of the lower House. And this leads us back to the subject started with.

In the proceedings relating to the investigation and connected with the two Houses of Parliament, the Duke of Richmond and Lord Palmerston both took prominent parts, and it was to mark the good services thus rendered the pastime, that at a numerous meeting

of the Jockey Club in the Newmarket 2nd October meeting of 1845, it was resolved :—

"That the unanimous thanks of the Jockey Club be rendered to his Grace the Duke of Richmond, K.G., for his Grace's indefatigable exertions, and eminent services in the House of Lords, whereby many obsolete statutes which threatened destruction to the best interests of the Turf, have been repealed, and the remaining laws in regard to horse-racing put upon a safe and satisfactory footing.

"Resolved—that the Standing Rules and Orders of the Jockey Club be suspended, in order to the election, by open voting, of Viscount Palmerston, as a free member of the Jockey Club.

"Resolved—that Viscount Palmerston be, and his lordship is hereby elected an honorary member of the Jockey Club.

"Resolved—that the unanimous thanks of the Jockey Club be offered to the Right Hon. Viscount Palmerston, for the invaluable services which his lordship rendered to the interests of the Turf in regard to a revision of the laws affecting the same, and that his lordship be requested to become an honorary member of the Jockey Club, having been elected unanimously by a suspension of their rules.

"Resolved—that these resolutions be forwarded by the Stewards, respectively to his Grace the Duke of Richmond, K.G., and to the Right Hon. Viscount Palmerston, and published in the Book Calendar."

* * * *

In 1849, the attention of the sporting world was engaged by a challenge from the Pasha of Egypt to try the relative merits of the Arab and English race-horses in a match of 10 miles, to be run in Egypt, for £10,000 or £15,000 a side. The challenge was conveyed through the medium of the English Consul-General in Egypt, in a letter to Mr. Charles Greville, who made the matter known to the Jockey Club at the 2nd October meeting of that year, and afterwards made the particulars fully known by a letter addressed to "Bell's Life." The proceedings in connexion with this challenge will be more clearly understood by the following correspondence, published at different times in " Bell's Life."

" *To the Editor of 'Bell's Life in London.'*

"SIR—A challenge has been sent through me on the part of the Pasha of Egypt, to the English Turf, which I first communicated to the Jockey Club, and now wish to notify to the public through the medium of your paper. It was my intention to have sent you the letter of our Consul-General, in which this challenge is conveyed, but I have unfortunately mislaid it, and after the most diligent search have been unable to find it. I remember, however, the contents of it with sufficient accuracy to answer every purpose. Mr. Murray states that his Highness the Pasha is convinced that his Arab horses are superior to our English race-horses over a length of ground, and he proposes to test their relative merits by a match to be run in Egypt, the distance to be 10 miles, the stake £10,000, which

he thinks, if desired, might be increased to £15,000; no limitation as to age or weight. The ground over which the match would be run is sand, with a good many stones in it. He concludes by saying that if there is a disposition here to make the match, he will proceed to adjust the preliminaries. Upon the receipt of this letter, I wrote him word that I would make this challenge public, and that I thought it very probable it would be accepted; and I then put to him a great variety of questions, as to certain points on which I deemed it essential that information should be supplied. Thus the matter stands at present. As soon as I hear again from Cairo, I will trouble you with a further communication.

"I am, Sir, &c.,

(Signed) "C. GREVILLE.

"Bruton Street, October 12."

"London, September 30, 1849.

"MY DEAR MURRAY—I have received your letter, with the interesting challenge on the part of the Pasha of Egypt. I intend to read it to the Jockey Club at a meeting there will be at Newmarket next week, and to publish a letter (which I will write) in 'Bell's Life,' announcing that such a challenge has been made, in order that any persons who may be disposed to accept it may have the opportunity of coming forward. I think it by no means unlikely that the match may be made, but as the owners of valuable horses will not be induced to incur the expense and risk of the voyage, to say nothing of the stake, without previously obtain-

ing the most ample information on all points, I think it better (to save time) to ask you to take the trouble to give me answers on the following points, on which I anticipate that inquiries will be made of me :—

"In the first place, is H.H. the Pasha to be depended on? Is he certain to hold to the match if made, and not to back out, and leave the English in the lurch, with all their trouble, risk, and expense?

"2nd. In whose hands would the stakes be deposited?

"3rd. Would the course be a tract of ground 10 miles long, or a round course to be gone over repeatedly, making the whole distance 10 miles? It would in fact be necessary we should know exactly what sort of course we should have to run over, and whether it would be a *race-course* or a tract of country. If the latter, whether it would be such as the English jockeys could find their way over?

"4th. Should we be quite certain of fair play, and of no interruptions or molestations, if we had the best of it?

"5th. Are there any races at Cairo, and have the horses the Pasha would enter ever run races?

"6th. Do you know whether horses brought by sea (which I suppose would be the best way) from England to Egypt have suffered from the voyage, and how long it would take for them to recover from the effects, and be in condition to run?

"7th. Have any English horses ever run races over the sands you describe, and is it supposed that their

action and their speed are or are not affected by ground so different from what they are accustomed to?

"This is a long list of queries, but in a matter involving such large sums (besides the credit of the English Turf), you will excuse my troubling you with them.

"Yours, &c.,

"C. GREVILLE."

"Cairo, October 28, 1849.

"MY DEAR GREVILLE—In reply to your letter of the 30th of September, I will now proceed to give you, categorically, answers, so far as I am able to do so, to all your inquiries. I have just returned from a visit to the Pasha, with whom I held a long conversation on the subject of the proposed race, and all the points which I name in this letter, as dependant on him, you may feel assured are correct, as I had them from his own lips, without the intervention of an interpreter. I now take your questions in the order in which you put them.

"1st. I consider that H. H. is fully to be depended upon *quoad* the *bonâ fide* determination to hold to the match, and moreover, he feels so confident of winning it that he twice repeated, before very many witnesses, that he would *give* the English horses a start of the length of his Desert Palace, about 300 yards. I presume our English pride would scorn to accept this proffered advantage!

"2nd. As to the *stakes*. The Pasha leaves the amount entirely to the English. He is ready to take any sum

from £10,000 to £50,000, and would make no objection to the stakes being deposited, on both sides, in any European Consulate selected by the English.

"3rd. The course would not be a circular or artificial one, but a straight run over a tract of country. He named the points of starting and winning to-day, and I consider it to be a course of 11 or 12 miles. I think I mentioned to you before that it is *undulating* ground, not hilly; it is all sand, not hard, smooth sand, like the New York race ground, but in *some* places nearly fetlock deep, in others rather stony; but, upon the whole, it may be considered fair galloping ground, though certainly not in English estimation fit to be called a race course.

"4th. There is no fear but what the English would have fair play. H. H. will not smooth or level the ground, but he will post men (soldiers) the whole length of the course to keep it free from all interruption.

"5th. We had lately some races here over a large portion of the very same ground named for the race with the English; the distance was *about* 8 *miles*, it might be a furlong more or less, as I doubt if it has been accurately measured; the winner ran it in about 19 *minutes*. I do not think the time could have been taken with *great* accuracy, but I was on the ground myself, and so many watches were used and compared that I feel assured the error could not be more than 30 seconds. The horses that ran in these races were all of second quality, nor did the Pasha enter any horse, much less any one such as he would produce, to run against the English. The truth is that neither I, nor any European

here, has ever been allowed to *see* his best horses, which he has studiously concealed from the eyes of the *profanum vulgus* at his harem. One thing is certain, that they are pure Arabs, and I believe he has now the best Arab blood in the world. I can tell you nothing about their actual speed; my *impression* is that over our Newmarket or Ascot courses, of 2 or 3 miles, they would be *distanced* by our second rate racers; but in *bottom* they are wonderful, and if you are to make this match, it is *bottom* you must look out for. Our horses are so superior in stride that there is nothing to fear on the score of speed.

"6th. This question many persons in England are better qualified to answer than myself. My belief is, that, supposing 8 or 10 horses were sent out here, perhaps two or three might suffer from the voyage so as not to be easily brought into running condition. But if I were bringing out horses of my own from England to run them here, I would most assuredly *not* submit them to the tender mercies of the Atlantic and Bay of Biscay, but would travel them through France to Marseilles.

"7th. This question, again, is one which, after the information I have given you, you and your colleagues on the Turf are much more able to answer than myself; I believe that no English racer has ever run in this country, but it stands to reason that horses accustomed to run over 2 or 3 miles of smooth turf *must* have both their speed and action affected by being called upon to run over 12 miles of uneven ground; it was on this account I said in my last letter that in my opinion a

first rate, thorough-bred steeple-chase horse, would be more likely to win a race of this kind than an ordinary race-horse.

"Having now gone through your seven questions, I add a few remarks for your further information. I have before mentioned that a portion of the ground to be run over is rather *stony*, not large stones, but still large and numerous enough to bruise a horse's foot when going at full speed, and to risk throwing him down; as a protection against this, the Arab horses are all shod with a shoe or rather *plate*, which covers the whole of the sole. Whether English horses *could*, after a month or two's practice, run in shoes of a similar make, I know not, but perhaps for this particular course an English shoe, with a *leather* to protect the sole, might be the preferable plan. The horses should be sent out in November, so as to have full two months to train here, as I could not recommend fixing the race later than February, on account of the heat. I would take care that the ground should be named two months before the race, to give the English jockeys and trainers full opportunity for knowing every inch of the course; and the Pacha is so liberal in these matters that I have no doubt he would run up a set of stables in any spot we might select. His Highness told me to-day that he meant to enter two horses and two mares (though of course he might add or subtract from this number at pleasure), and that the English might enter any number they pleased, but that he would have ONLY ONE RACE, and that he would consider that one as decisive of the trial between the Arab and English

racer. His Highness added, 'Let them send their *best*, and if I beat them let them not say these are inferior horses—we have better in England. If I beat them once I shall consider that I have beat their best, and I will not run any more!'

"I have only to add that the *weights* are to be entirely at the option of the respective parties. Hoping that I have now left no point unexplained, I re-inclose you your letter, thinking it possible that you kept no copy of it, in order that you may refer to your questions. My full conviction is, that you can beat your enemy, but do not despise him; send good ones or none, for the honour of Old England.

"Believe me, my dear Greville,

"Very truly yours,

"CHARLES. A. MURRAY.

"P.S.—Since writing this letter I have received your last note, and seen the letter in 'Bell's Life.' Travellers arriving from England by this steamer have even averred that the challenge is taken up in England, and two of the horses named. For Heaven's sake be prudent, and let nothing be done in a hurry; above all, if possible, try and prevent any sporting volunteers from sending out horses here on a speculation; if they *lose* they will disgrace us; if the *win* they will prevent the great stake from being run for. I, on my part, will urge the Pasha not to run against any horse or horses not sent out with the sanction of the Jockey Club—at least until the great race comes off. I have *no doubt* you can win, but never having been myself

on the Turf, or had practice in training horses, I cannot say whether a race-horse or a steeple-chase horse is the best for the object in view. In my opinion the race can hardly be run this year, for you must send out a regular draft of the conditions, to be approved and signed by both parties, a *forfeit* declared in case of either withdrawing, and your horses should be here in *November* early, in order to give them a full two months' training here in cold weather.

"C. A. M."

With reference to this challenge, several communications were addressed to "Bell's Life," in one of which it was stated that the challenge did not emanate so much from the Pasha, as from his *Chef de Ménage*—a French gentleman of great enterprise, and who had laboured for many years to bring the Pasha's stud to the highest degree of perfection, and who, as regards stock, had had the picking and choosing of all Syria, as well as of England and France. The racing establishment of the Pasha was one of the most magnificent and substantial kind, and at the time this match was proposed, he had a stud of upwards of 50 horses of as pure blood as any in the world. It appears also, that an English sporting gentleman, on hearing of the challenge, went to the trouble and expense of measuring accurately the piece of ground laid out for the proposed race. It was said to be on the desert, within a few miles of Cairo, and consisted of heavy sand from 5 to 6 inches deep. The distance to be run was equivalent to $6\frac{6}{8}$ English miles, and this space was

covered by some Bedouin and other Arab horses at a race-meeting there in from 18 to 21 minutes.

The match as proposed, however, fell through, as the following letters will show :—

"Bruton Street, Dec. 6, 1849.

"Sir—The correspondence between Mr. Murray and me upon the Pasha of Egypt's challenge having now been long enough published to be generally known, it appears to me that if this matter is to proceed it ought to be pushed on another step. I therefore take the liberty of suggesting to the Stewards of the Jockey Club, and I beg you will request them, to name any gentlemen they may think fit to act as a committee for the purpose of arranging this match, if it should be found possible to make it. The Jockey Club, in its corporate capacity, can have nothing to do with it, and I do not by any means propose that the Stewards should incur any responsibility of any sort or kind; but I think such an affair as this can only be handled by a committee, and it is very desirable that such committee should possess the confidence of the racing world. One, therefore, which was (originally) named by the Stewards of the Jockey Club would have more weight than any self-constituted committee, and it would have a semblance of authority which would serve to keep off the volunteers whose interference Mr. Murray so earnestly deprecates. I should propose, therefore, that the Stewards should invite certain persons (not necessarily members of the Jockey Club)

to form a committee, with power to add to their number, it being perfectly understood that the committee is to act on its on behalf and quite independently of the Jockey Club.

"I am Sir,

"Your obedient servant,

"C. GREVILLE.

"Mr. C. Weatherby."

"London, Feb. 2.

"DEAR GREVILLE—We have given our best consideration to the proposition transmitted through you by his Highness the Pasha of Egypt, and although we think it very probable that parties might be found willing upon their own account to accept the challenge to the full amount of the stake proposed, we have come to the conclusion that it would be inexpedient that we should do so on the part of the Jockey Club as a trial of merit between the horses of the respective countries.

"You are well aware that the Jockey Club, as a body, has no control over the owners of race-horses, and that it is a matter of certainty that the owners of the best horses in England will not subject them to all the risks attendant upon a long land and sea voyage, change of climate, food, and water. The match, therefore, if made, cannot be, as his Highness desires it should be considered, a test of the comparative merits of the best horses of England and Egypt. Independently of this, the ground proposed, according to the accounts we have received, is wholly unfit for a trial of speed,

and the probabilities of accident appear so great as to make it very objectionable even as a test of stoutness. On these grounds, therefore, we are not disposed to recommend the acceptance of the challenge on the part of the Jockey Club.

"We remain, yours faithfully,

"J. HAWLEY.
"STANLEY.
"GLASGOW.

"Mr. C. C. Greville."

The following communication relative to the challenge also appeared in "Bell's Life" of November 25, 1849:—

"Malta, November 13.

"SIR—As you said any information connected with the forthcoming event might be valuable to you, and having, during our five days' stay in Alexandria picked up some, from a source of the greatest experience, and on the correctness of which I can implicitly rely, I write you overland that you may receive the earliest intelligence on the subject. I shall give it you as I took it down, *viva voce* and *verbatim*, leaving you to make the best use you can of it for your own or other interests. Every Englishman, whether he knows a horse from a cow or not, must feel an interest in the subject —therefore to begin. The last race at Cairo between Arabs, about two months since, was said to have been run (eight miles) in 20 or 23 minutes—one said 17 (it was over the ground which will probably be selected for

the match); but of this fact there is a question, as no *regular* time-keeper seems to have been on the ground, which is not so very heavy, but irregular, with stones, which might, however, be removed, and should be for an English thoroughbred to win on. A first-rate steeple chase horse, in the opinion of our English judges in Egypt, would be the sort of horse, as he is used to lift his legs higher in galloping, and would not be so likely to come down.

"Compressed hay and oats *must* be brought, as there is none of either *here*. Arabs are fed on barley and chopped straw.

"Shoes should be brought, or a blacksmith. Don't hold the Arabs *too cheap*. Abbas Pasha has 400 to 500 horses of the very best blood from the Nedgdi country. Mares in Egypt are more generally longer winded than horses.

"The general opinion is, as to *speed*, that an English three-parts-bred horse would beat on turf any Arab. They never exceed 15 hands.

RIDERS.—The pasha will probably mount his horses with Wahabee riders from Mecca—wiry, light men of eight stone—good riders, but no judgment. Some experienced persons must come out to arrange the preliminaries. The course will be marked out and kept by the pasha. He has only to give the order to ensure its observance. He relies principally on the bottom of the Arab, which he considers superior to any for distance. It is the opinion of all the English that they *ought* to beat; nor will they back the Arabs, though their own people will. The race must not be run later

than *March*, and stipulate not during the Hampseen wind, which blows during fifty days, *i.e.*, from 20th March to 20th May, but only at intervals. It is from the Desert, and very hot.

"The irregularities and looseness of the course appear to me to be the only circumstances to render the result for a moment doubtful, as it might interfere with what always tells in a thorough-bred—'his tremendous stride.'

"ARGUS."

* * * *

The year 1850 was remarkable on account of an anti-race meeting which was held at Doncaster a few days previous to the St. Leger being run for. The meeting, which was one of the largest ever held in the Guildhall of Doncaster, was a very one-sided affair, as those assembled would not let any one proceed who rose to speak against the races. Several clergymen were on the platform who endeavoured to address the meeting, but to no purpose, and with the rest was a gentleman whom we have before referred to in connexion with Doncaster and its races—we mean Mr. Baxter,* who, on presenting himself to address the meeting, "was immediately assailed with a burst of uproar."† The meeting was mainly composed of the rabble of the town, and finding it impossible to obtain a hearing for any of the speakers who were opposed to

* We presume the gentleman bearing this name who was at this meeting, and the one who gave evidence before the Committee of the House of Commons—see p. 155—is one and the same individual.

† "Morning Post," September 7, 1850.

the races, "Mr. Buckley, a Chartist, then moved, and Mr. Cooper, a Unitarian Minister, seconded, a motion to the effect that the meeting should be adjourned until that day twelvemonths, which was carried by an overwhelming majority." But at this point in the proceedings, it was seen that the meeting had made up its mind for mischief, and many of the respectable parties had already retired fearing some serious catastrophe was meditated. As soon as Mr. Baxter and several other gentlemen had reached the street, they were followed by a crowd hooting and shouting at them, and were afterwards assailed by a shower of stones, one of which struck Mr. Baxter on the head, and he had the honour of being once more "pelted" on his way home, for attempting to give a mob what he no doubt conscientiously thought was good advice.

Now although the conduct of the cowardly mob in using the violence they did was disgraceful, yet those who persisted in denouncing a harmless recreation as one by which "many souls had been lost" and "opposed to the commandments," was at least injudicious, and it being well known that such strong views were the very opposite of Englishmen generally, the consequences that ensued were partly of their own creation. In Mr. Baxter's previous efforts for the suppression of *gambling* with dice, &c., and which can only be looked upon as a positive *vice*, he deserved the encouragement and support of every right thinking man, but we think him mistaken in seeking to abolish what is essentially an innocent amusement of the people. It is absolutely necessary for the good of society that there should be

a "national" amusement for the merry-making of the people; and although there are undoubtedly some things to be found fault with in that sport which has been selected and made use of for some centuries as the popular pastime, it must be borne in mind that some kind of evil is almost inseparable from any object which creates an assemblage of the masses; and in giving our vote in favour of horse-racing, we do so on the grounds that it is a pastime which is less likely to be seriously abused, or hurtful to those who, in point of numbers, are its greatest patrons—the working classes.

CHAPTER XIII.

Lord Redesdale's Light Weight Racing Bill.—The Reindeer *v.* Raindeer affair.

On February 16, 1860, horse-racing was once more brought before the notice of the Legislature in consequence of Lord Redesdale introducing the "Light Weight Racing" Bill into the House of Lords, by which it was proposed, that after January 1, 1861, no horse should start for any racing prize carring *less* than 7st. weight under a penalty of forfeiture of the horse so running and £200. This Bill came on for a second reading June 12, when the following petition against it by the Jockey Club was presented by the Earl of Derby :—

"That your Petitioners have been informed that a Bill has been introduced into your Right Hon. House, providing, under severe penalties, that from and after the 1st day of January, 1861, no horse, mare, or gelding, shall be entered or run for any race carrying less than 7st. weight.

"That your Petitioners submit that all regulations respecting racing are better entrusted to the authority

which has hitherto made rules for the encouragement of this great national amusement, and that the proposed Bill, should it become law, would have a prejudicial effect.

"Your Petitioners therefore humbly pray that your lordships will be pleased to refuse your assent to the second reading of the Bill, entitled 'an Act to prevent the entering or running horses carrying very light weights for any plate or money.'"

In the debate, Lord Redesdale said that in consequence of representations which had been made to him by trainers, he intended to reduce the minimum weight in his Bill from 7st. to 6st. The object of the Act was, by raising the weights above the standard to which modern practice had reduced them, to strike a blow at a great deal of the gambling caused by the light weight handicaps. He had received a petition from Mr. Bradley and twenty-four other trainers, in which it was stated that such a Bill with a limit of 6st., "would give great satisfaction, and be a great boon to the Turf." The present light weight system was prejudicial to the breed of strong and useful horses; and Mr. Scott, the celebrated trainer, strongly advocated the introduction of a six stone legislation. The Bill was opposed by the Duke of Beaufort, the Earl of Winchelsea, Earl Granville, and Lord Derby, the latter of whom said, that if the minimum was placed at 7st., the consequence would be that in all handicaps, the superior old horses would have to carry 11st. and 12st. The real cause of deterioration in the breed of racehorses was the racing them so early. There was a

reason, however, said his lordship, why it was somewhat desirable that the weights should be slightly raised, viz., the great difficulty of procuring jockeys to ride old horses in the present competition with the light weight system: as soon as a jockey arrives at 8st. 7lbs., he has little opportunity of riding, as it is monopolised by boys of from 6st. 5lbs., to 7st. 12lbs. His lordship concluded by saying that the matter was under the consideration of the Jockey Club, and notice had been given at their next meeting of raising the weights on the Derby and some other races from 8st. 7lbs. to 8st. 10lbs.

Upon this declaration of Lord Derby, Lord Redesdale said he would withdraw his Bill.

* * * *

In the latter part of the past racing season of 1862, the pastime of which we have been writing its history particularly engaged the attention of the public, not by reason of any noteworthy racing incident strictly in connexion with the race-horse or horse-racing, but simply on account of a notorious transaction which, because it originated between a few of those recognised as professional sporting men and patrons of the sport, was at once seized upon and paraded before the public as a "Turf scandal!" We are not going either to enter into the Tarragona and Michel Grove case, or the *Reindeer* v. *Raindeer* controversy, for in the first place the matter as a subject is hardly worth serious discussion, and in the second, any remarks of our own would almost be superfluous here as the question has so fully

and recently been debated and worn threadbare in the newspaper press. Besides, to speak the truth, it would appear from all the circumstances of the case, that of all mixed up in the affair, that noble animal, the *horse*, had as much reason to complain of *its character* being unjustly defamed, as any one of the parties who may have considered their *honour* in question. Whatever there may have been disreputable in the affair we speak of, we must in justice separate both the horse and the pastime from being in any way blameable or accountable for the transaction itself: the part played by the one or the other in it was no self-elected position, but one created by those who made use of both for purposes either good or bad accordingly.

But as our object in this history has been to show that horse-racing—taken simply as a pastime and made honourable use of—is one worthy from its nature and antiquity to be the chosen one of the people; and as we have, moreover, not failed to speak of any faults in connexion with it, we shall take the liberty of making a few observations with respect to what has been called the "Turf scandal" of 1862.

In the first place, we must once more protest against the conduct of the Jockey Club in this transaction for making a *secret* inquisition of what should have been a *public* tribunal. It may be a repetition of what has been said before, but it is perfectly inexplicable why a body so aristocratic in its composition, and thereby, it must be supposed, eminently possessed of the high qualities of openness and candour, should be so persistent upon every occasion of subjecting their own

character and actions to be suspected when they might be beyond all reproach by simply acting in the same manner as every other constituted body acts with regard to judicial proceedings. We dare say, that if the whole of its members were polled, there would not be one but what would condemn in other bodies a system of procedure which they themselves invariably adopt. The Jockey Club even place themselves in an unpleasant and false position by the course they take, for sympathy always goes with the accused in cases where character is secretly debated.

In the second place, the Scotch verdict of "not proved" was one of great injustice to the parties accused, and quite beneath the dignity of the tribunal itself. Neither of the parties were charged with murder, nor was the accusation tried in Scotland nor under Scotch laws. Their honour and private character were at stake, and the question at issue was simply whether they *were* guilty or *not* guilty of the charges imputed. If the Jockey Club are incompetent to decide such a case when brought before them, the jurisdiction should lie with some other tribunal; for it is a serious matter when a man's character is turned out of a court of honour, that the acquittal should be ascribed to *luck* instead of merit. Had the judges been composed of, say the three celebrated Tailors of Tooley Street, such a decision might have been expected, or no great surprise would have been felt if the verdict had even been one of wilful murder, but coming as it did from those who, from their position,

were expected to be so thoroughly sensitive in the question at issue, the decision is an enigma.

Lastly, we have to speak of the conduct of the Jockey Club in warning Mr. Willes, the gentleman who writes the sporting articles in the "Morning Post," under the signature of "Argus," off the Heath at Newmarket. Had the Jockey Club wished to have made themselves as unpopular and obnoxious as possible in the eyes of Englishmen, they could not have taken a surer means of attaining their end. The act was one not only utterly devoid of wisdom, but it was an egregious piece of folly. It might have passed some centuries ago, but in the present age the power of the Fourth Estate is so solid, that the moral result of such a proceeding is one of disadvantage to the excluding, and of decided advantage of position to the excluded party. There is no doubt that, *legally* speaking, the Jockey Club have the power and privilege of excluding *any one* from trespassing on any part of their property *at Newmarket*; but if they take similar proceedings with regard to others as they have with Mr. Willes, they will soon have the racing there entirely to themselves, for certain it is that no one will care to go to a place where their thoughts are to be completely under the control of a few proprietors of the land. Mr. Willes, in the remarks he made in the case which were objected to, was only conscientiously doing his duty towards the public, and if he was in error in the opinions as expressed, the proper way of setting him right would have been, not by a vindictive *kick out*, but by a polite correction or refutation

through the Press. The Jockey Club must be aware of the error they have committed in acting towards Mr. Willes as they have done, if only from the fact of so many members of their own body opposing the step taken, and it will be a matter of regret if they do not uphold their high position as the guardians of the honour and interests of the national pastime and everything pertaining to it, by at once placing Mr. Willes upon his former footing. Let the past, in this respect, be mutually forgiven and forgotten; and in the place of personal animosity or ill feeling, it is much to be desired there should be concord and unanimity of all in doing their best to serve the real interests of the sport.

It must be understood that the foregoing observations are made without personal bias towards any side or party whatever; and although, as a matter of conscience and opinion, we have pretty freely found fault with the Jockey Club, it did appear from the *abhorrence* expressed by one of its members in the Reindeer inquiry towards one of the accused, that there was something behind the scenes of which the public knew nothing. But whether this was the case or not, it ought to show the Jockey Club, or any similarly constituted body, that they not only render themselves liable to be misjudged in their actions and intentions by the secret nature of their proceedings, but that they are just as likely to have the injustice of a case shifted upon their own shoulders as saddled upon the backs of the really guilty party. Do away at once with all secret inquiries, and we should soon have the Turf in

such a pure and healthy state as it has never been in before, and in the place of newspaper correspondents being warned off the course, the assistance of their pen will be as readily sought that the real truth of a matter may be made public and relied upon for self-vindication. This *is* the object sought in all other public matters, and why should the Turf alone be singular in such a case? It may be taken for ganted, that if ever a future historian should write "the decline and fall" of the English Turf, one of the reasons assigned for its decay will be, because it was behind the rest of the age in liberal progress, and was badly governed by its chief representatives.

CONCLUSION.

Reasons in favour of horse-racing as the national pastime of the English people.—Certain portions of land at Egham expressly set aside by Act of Parliament for a public race-course.—Speech of King William IV. in favour of the pastime..

The history of horse-racing as detailed in the foregoing pages, will have shown that the sport is one which, from antiquity of custom and its being peculiarly suited to the nature of an Englishman, gives it a pre-eminent claim to be considered the national pastime of the people. Of course there are many other diversions worthy of being indulged in to a very great extent by Englishmen, but none of them can vie with horse-racing as presenting at the same time a grand and interesting *spectacle* to the view, as well as a simple amusement which both interests and occupies the mind ; and it is one besides which at the same time affords the widest scope for the amusement and pleasure of the million. An endeavour has been made to show that, in this country at least, the pastime has on no occasion been made use of, or perverted for purposes other than what legitimately belong to it, and that, as regards the masses, their conduct in connexion with the sport is not only beyond reproach, but deserving of

all praise; consequently, the sport is one meriting commendation, and the people are worthy of being allowed a full indulgence in the pastime. There is no occasion to repeat here what has already been said as to the very high patronage and support accorded horse-racing from the very earliest down to the present time, but we may be allowed to recur to the fact that so many sovereigns who have sat on the English throne have not thought the pastime unworthy of their own particular favour and regard, and that the Legislature of the country has in many instances shown an equal readiness to uphold and support it—an assertion already supported by proofs, but which can yet be strengthened by additional evidence.

In an Act of Parliament passed in the 54th year of the reign of Geo. III., cap. 153, for the inclosure of the commons, waste lands, and open meadows, in the parish of Egham, it was expressly enacted, "That the several pieces or parcels of land comprising the meads called Runnymeade and Long Mead, shall not be fenced or inclosed under any of the powers contained in this Act, but remain at all times hereafter open and uninclosed." The same clause, however, empowered the Commissioners to allot "specific parts or shares of those meads, amongst the several owners and proprietors thereof," according to their respective rights and interests of the same; but it was "provided always, that the said several pieces or parcels of land last mentioned, or such parts thereof which have been appropriated and used for a long time past as a race ground,

shall be kept and continued as a race-course for the public use, at such time of the year as the races thereon have heretofore been accustomed to be kept."

This was an instance of *rights* and *pririleges* guaranteed by our lawgivers for the protection and fostering of the pastime of horse-racing, and the following affords proof of the *high opinion* and *estimation* of the sport itself as held by one of our kings.

At Egham Races, in August 1836, an address of thanks was presented to King William IV. for giving a Royal Purse of 100 Guineas to be annually run for there, and, in an extemporaneous speech in reply, his Majesty said, "That he most deeply felt the dutiful attention that induced this acknowledgment of an act, prompted on his part by a desire to show that he was sensible of the munificence and loyalty of a parliament and a people that had not only enabled him to possess as a residence that ancient and magnificent castle, the pride of Englishmen and the envy of foreigners, but to follow the dictates of his heart in furthering the wishes, and promoting the happiness of every class of his people, whether of the gentlemen of large fortune, or of that class (looking towards the inhabitants of Egham) which he should always consider as forming the most important connecting link in a chain that binds the heart of a sovereign to the interests and enjoyments of his people. He considered this to be a national sport---the manly and noble sport of a free people; and that he deeply felt the pride of being able to encourage those pastimes so intimately connected

with the habits and feelings of this free country. He could not help adverting to the spot on which they were now assembled to enjoy an amusement so truly national—a spot which derives such a peculiar claim to our veneration, from the circumstance that here arose that first dawning of liberty so dear to his heart—so dear to the heart of every one of his people—that neither he nor anybody could be present without calling to mind that here it was that our liberties were obtained and for ever secured, and that we were here to enjoy those liberties and sports which he would with his utmost power ever protect and foster, and, in so doing, never lose sight of the welfare and enjoyment of every class of his people, from the highest to the lowest."

In conclusion, it is humbly suggested, that as the past season closed with a scandal, the present one might open with an act which should command praise instead of deserving censure. There is great distress in Lancashire, for the relief of which every class of society has given freely. The Turf has contributed its mite to the good cause as well as the rest, but not with a liberality worthy the institution.. Suppose, then, there was opened, say "The Great Lancashire Distress Relief Sweepstakes," of 100 sovereigns each (or any higher amount), p.p., to be run for at the Manchester Meeting in May, the winner to have the honour of presenting the amount of the sweepstakes in his own name, and that of the successful horse. The more entries the better; and if there were too many to contend at once, the prize might be run for in heats. The value of the

gift might also be increased by adding the receipts from the Grand Stand for that day. This would be a graceful and charitable act, and one which would ever rank to the credit of the national pastime of England.

FINIS.

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